

THE SURVEIORS DIALOGVE.

Very profitable for all men to peruse, but
especially for all Gentlemen, or any other Farmar, or Hus-
bandman, that shall either haue occasion, or be willing to buy
or sell Lands : As in the ready and perfect Surueying of
them, with the manner and Methode of keeping a Court of
Suruey by many excellent rules, and familiar
Tables to that purpose.

As also,

The true and right vse of the Manuring of Grounds, or Oc-
cupation thereof, as well in the Lords, as in the Tenants : being
the true facultie of Surueying of all manner of Lands
and Tenements, &c.

Now newly Imprinted.

And by the same Author enlarged, And a sixth Booke newly added, of
a familiar and pleasant conference, betweene a Purchacer, and a
Surueyor of Lands, of the true vse of both, being very needfull
for all such as are to Purchase Lands, vvhether it be in Fee
simple, or othervvise by Lease.

Diuided into sixe Bookes by I. N.

PROV. 17. 2.

A discrete Seruant shall haue rule ouer an vnhristie sonne, and hee shall
decide the heritage among the brethren.

Voluntas pro facultate.

LONDON

Printed by I. W. for I. Busby, and are to be sold at his shop
in Saint Dunstons Church yard in Fleetstreet. 1610.

THE SARVEIORS DIALOGUE

Very profitable for all men to peruse, but
especially for all Gentlemen, or any other Person, or Land-
bandman, that shall either have occasion, or be willing to buy
or sell Lands: As in the ready and better Surveying of
them, with the manner and Methods of keeping a Court of
Survey by many excellent rules, and familiar
Tables to that purpose.

The true and right use of the Mapping of Grounds, or Oc-
cupation thereof, as well in the Towns, as in the Country: being
the true Faculties of Surveying of all manner of Lands
and Townships, &c.

Now newly Imprinted.

And by the same Author enlarged, And a first Book newly added, of
a familiar and pleasant conference, between a Purchaser, and a
Surveyor of Lands, of the nature of both, being very needfull
for all such as are to Purchase Lands, whether it be in Fee
simple, or otherwise by Lease.

Drawn into two Books by J. N.



Voluntas pro facultate.

Printed by J. W. for A. Bower, and are to be sold at his shop
in Saint Dunstons Church-yard in Fleetstreet 1691.

LONDON

To the right Honorable ROBERT,
 Lord Cecil, Baron of Eslington, Vicecount Craven-
 town, Earl of Salisbury, Principall Secretarie to the most
 high and magnificent Prince, IAMES, King of Great
 Britaine, France, and Ireland, Master of his Ma-
 jesties Warres and Limeries, of his Admiralties
 most Honourable Privie Councell, and
 Knight of the most Noble Or-
 der of the Garter



S the earth (right Ho-
 nourable) was given
 to man: and man (at-
 ter diuine) was en-
 ioyned the care of
 earthly things, every
 man in several place,
 qualitie and state,
 the greatest receiving
 thence greatest dignities, even to bee called
Princes of the earth. So is it not the least regard,
 that men of whatsoeuer title or place, should

hane

The Epistle Dedicatorie.

hane of the lawfull and iust meanes of the
preseruatiō and increase of their earthly re-
uenues. And that especially, by iustly atchie-
uing, and rightly vsing Dominion and Lord-
ship : which principally growe, (omitting
publique office and authoritie) by Honors,
Mannors, Lands, and Tenants : for according
to the largenesse of reuenues, are the meanes
to enable the Honourable, to shelter the ver-
tuous distressed, and to cherish such, as by de-
sert may challenge regard. And according to
their will and power therein, is the vulgar re-
putation of their Magnificence. But (my
good Lord) as mine indeuour in this rude
Dialogue, tendeth but, as it were, to the plow:
So I omit to wade into the impassable censure
of honour and dignitie, wishing it euer deser-
ued reuerence. And as touching Land-reue-
nues, wherewith many are (but especially the
Honorable are, or ought to be principally) en-
dowed, I presume onely in this simple Trea-
rise to discourse : So farre (according to my
slender capacitie, and weake experience) as
concerneth the ordinarie necessarie meanes of
the maintenance and increase of Land-reue-
nues.

The Epistle Dedicatorie.

nues. And because the true and exact Surueying of Land, is the principall; I haue heerein indeuored, more of Desire, then of Power, (for the vse and benefite of all sorts of men, hauing to deale with land, both Lords and Tenants) to shew the necessitie, and simple methode thereof, Most humbly intreating your good Lordship (the fruits of whose, and of your honorable Fathers fauours, I haue many wayes tasted) to vouchsafe me your Honorable pardon for presuming, and your like patience in accepting at my hands this second time, this little Mite; which, were it as great, as any wel-wishing heart can intend good, it were (together with my poore selfe) in truest seruice vnfainedly your Lordships. It may therefore please the same to accept it: so shall others the more willingly embrace it, or the lesse disgrace it, humbly recommending it to your graciour fauour.

At my poore house at Hendon, 27. Martij. 1610.

Your Lordships euer to be commanded,

Io. Norden.

The Epistle Dedicatory.

And because the true and sure way
 is to be found in the principles of the
 in which, from the first of the
 (for the use and benefit of all sorts of men,
 having to do with the world, and the
 things) to show the nature, and the
 method thereof, I have humbly intreating
 your good Lordship (the fount of wisdom, and
 of your honorable father's favour, I have ma-
 ny ways desired) to vouchsafe me your Hono-
 rable pardon for presuming, and your like pa-
 tience in accepting at my hands this second
 time, this little Mire, which, were it a gem,
 as any well-wishing heart can intend good, it
 were (together with my poor self) in trust
 service vouchsafed your Lordships. I may
 therefore please the same to accept it to shall o-
 ther the more willingly embrace it, or the less
 disgrace it, humbly recommending it to your
 gracious favour.

At my poor house at London, 27. March. 1610.

Your Lordship's most humble servant,

Jo. Norton.

To the beneuolent Readers, especial-
ly to Landlords, Tenants, and Sur-
ueyors of Lands.



AS God in his high and incomprehensible
wisdome, hath giuen vnto man two be-
ings, a Spirituall, and Corporall: So
hath hee enioyned him two prescript
cares, the one of diuine and heauenly,
the other of humane & earthly things.
And although the first be as farre more
excellent then the second, as the brightest Sunne excēdeth
the blackest darknesse: yet hath he not omitted, to giue vnto
all men an expresse commandement, to be mindfull of the
second: Although it must be confessed, that no man taking an
extraordinary care, can adde, as of himselfe, one iot of increase
of any good thing, neither can he of his owne proper indu-
stry, assure himselfe of any part of true prosperitie in this
life, yet must he not therefore dissolutely neglect his uttermost
lawfull indencour, to aduance his owne welfare, which he nei-
ther can do, without feare and trembling, if hee call to minde
the cause why the earth bringeth forth vnto vs of it owne
accord, nothing but the very tokens of our originall disobedi-
ence, wherein is imprinted this Motto or Poely of our Shame:
With the sweat of thy face thou shalt eate thy bread, all
the dayes of thy life. And this without exception of persons.
whereby it appeareth, that none is exempted from labour and
trauaile,

The Epistle to the Reader.

travails, in one kind or other, to sustaine his estate here. Our Fathers of same began it. Adam digged the earth, and manured it. Tubal brought in Metals. Noah planted a Vineyard. Abraham, Lot, Moses, David, Elizeus, Amos, and many other goodly and great men were Shepheards. Gydeon was a Thresher of Corne. Jacob and his sonnes the Patriarkes, were Herdsmen. Ioseph a Purveyor of Corne in Egypt. Paul made Tents. Matthew was a Customer, or Toll-gatherer. Peter, Andrew and others were Fisher-men. And Saul a keeper of Asses. If these men began the way of labour in so many kinds, who may say he is free in one kind or other? And he that in respect of his greatnesse of birth or wealth, will pretend a priuiledge of idlenes, or vaine and unprofitable exercises, doth disconer his forgetfulnes, or neglect of the dutie in earth, which every man, euen the greatest oweth vnto the Common-wealth, his owne familie and posteritie. And hee is censured euen by the mouth of God, Worse then an Infidell, that neglecteth these duties. And none is excused, or exempted out of this Law of prouision for his familie, be he neuer so high or meane; not that such men as are honourable by birth, office or advancement, should till the earth, or be Shepheards or Herdsmen. But that they should, according to their greatnesse, execute great place in the Common-wealth, wherof (after the care of Diuine things, in respect of God that gave them their greatnesse) they should haue care to performe some seruice, in respect of the King, vnder whom they enioy their greatnesse: To shewe loue and diligent regard, to ayde their inferiours, in respect of whom they haue the imputation of their greatnesse: To be prouident in providing things necessary for their Families, that haue an interest to partake of their greatnesse. And lastly, in respect of their posterities, that are to become the more great by

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by their greatnesse. And how can they doe thus, vntlesse they
 looke into, and vse the meanes of the increase and preserua-
 tion of their greatnesse? And for as much as the same con-
 sisteth for the most part, in the reueneres of land: what grea-
 ter care ought they to haue, then to maintaine and lawfull-
 ly to augment the same, which decaying, their Honour
 and honourable reputation diminisheth. To preserue or
 augment Reuenues, there must bee meanes: the meanes
 are wrought by Knowledge: Knowledge had by Experience;
 Experience by view, and due obseruation of the particulars,
 by which Reason doe, or may wisely wherein are to
 bee considered the Quantities, and Qualities of Land,
 with the present Renters, and estimate values by a reasona-
 ble improouement: which doo, to haue a due regard
 to proportion yeerely distributions and expendings with
 the annuall incomes, in such sort, as alwayes the present
 yeere may rather adde vnto the next, then the next to bee
 charged with the yeere past. For when the present yeere
 shall expend more than the Reuenues of the same may
 beare, the yeere following cannot but bee surcharged: and so
 will it surcharge the future so long, that either he shall
 be forced to strike the topsaile of his imprudent wastling, in
 time; or at length, through the furious blasts of excessive
 prodigality, be blowne vnder the water of disability, by over-
 swelling the sailes of his vainglory, I speake not this in the
 way of attachment, but of prevention. And so I trust, all men
 will take it, and accept of my poore endeavour in this kind, con-
 sidering that necessary it is, that all men should know what it
 is to haue reuenues, namely first to know them, and then to vse
 them to their owne aduancement, and to the good of others.
 And because it is not the worke of the Honourable, and of such
 as haue high and serious Common-wealth employments, to

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Eccle. 5. 8.

bee personall actors of their owne affaires in this kind: they are to use the service of such as are fit in knowledge, & in iust dealing, to trauell in this kind of busynesse, by whose faithfull and sincere informations, they may know what is iust and right to be done and demanded: And in all fauour and clemencie to deale with such, as are in this manner within the compasse of their commaunds, and by whom and by whose labours they maintaine their greatnesse: for (no doubt) there is none but well considereth, that how great or powerfull sooner he be in Land Reuenues, it is brought in vnto him by the labours of inferiour Tenants: yea, The King consisteth by the field that is tilled. And there is none of these inferiours, of ordinarie discretion, but well knoweth, that what hee enjoyeth, is by the fauour of his Lord in a sort. And therefore ought there to be such a mutuall concurrence of loue and obedience in the one, and of aide and protection to the other, as no hard measure offered by the superiour, should make a iust breach of the loyaltie of the inferiour: which kind of vniou is no wayes better performed and continued betwene the Lord and Tenants, then by the Lords true knowledge of the particulars that every Tenant holdeth, and a fauourable course in fines and rents: and by the Tenants loue and thankfulness in all readie seruise and dutie towards the Lord. And to that end, it is (no doubt) expedient, that Lords of Tenants, haue due regard of their owne estates, namely of the particulars of all their Tenants lands, and that by a due, true, and exact view and survey of the same, to the end the Lord bee not abused, nor the Tenants wronged and grieued by false informations, which commonly grow by private Intelligencers, and wener by iust Surveyors. And because the office of a Surveyor (duely made, is an office both necessarie, expedient, and of trust: It becometh him, as hee first honestly and vprightly minded
and

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and next, skilfull and iudicious, in the facultie. Then can he not, but by industrie and diligence, produce an exact discouerie and performance of the worke hee undertaketh, to the true information of the Lord, whose benefite and uttermost lawfull profit hee is to seek, in a good conscience, dissuading him yet from distastefull Avarice, the greatest blemish that can befall a man, seeking true reputation and renowne, by his reuenues. For too much seneritie afflicteth the hearts of poore Tenants, who (by common experience) are found to bee more firmly knit in the bond of true duetie, loyall affection, and readie seruice vnto their Lords, by their Lords frugalitie, sweetened sometimes with the cheerefull drops of true liberality, then by the extreames of austeritie, vaine prodigality, or compulsiue exactions. And yet not so, as Lords of Tenants should be so ouerswayed with abused lenitie, or carelesse looking into their owne, as may breede contempt in Tenants: but rather that they should keepe such an euen, and equall hande ouer their Tenants, as may continue mutuell loue, and in them a loning feare: And not to seeke the increase of Reuenues so much for vaine glories as for vertues maintenance. Which will appeare by doing good to deserters, by their vertuous life. A worke of true vertue, when contrarily, vaine-glorie seeketh idle and vaine reputation, by vniustly atchiuing, and either prodigally consuming, or too miserably increasing Reuenues, which I must leaue to euerie mans owne fancie, wishing all to fashion their wayes in this kind, to Gods glorie, the Kings seruice, the good of the Common-wealth, and to other such ends, for which God hath given them greatest earthly blessings, recommending vnto you this simple rude lumps, of which,

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*if some more skillfull, will bestow the re-licking, and bring
it to his true shape, my selfe with many others, should
thankfully embrace it. In the meane time
friendly accept it, and in kind-
nesse afford sparing re-
prose.*

Ecclef. 7.12

wisdom is good with an inheritance.

Yours, I. N.





The Author to his Booke.

Looke ere thou light into the hands of some:
Some lay but traps, to catch thee in disgrace,
Disgrace thou none, be silent where thou come,
(Yet thou shalt come where *Momus* is in place.)

Place thee with those, whose hearts aright doe see:
And seeing, iudge in fauour, faults that be.

Faults be in thee; who saies he doth not erre,
Erres, in conceit, that he alone is free:

And such, not free, will sure thy faults transferre,
And for one fault, transferre them ten in thee:

Not thee in this, but me they discommend,
That I abroad doe thee so basely send.

Base I thee send: excuse me what thou can,
If thou can not, plead thus to seeming friends:

Alas, my friends, abortiue I began:

Who me began, thus meanely foorth me sends,

That I might tell him, how I passe the taunts

Of taunting tongues, that seeke their praise by vaunts.

I vaunt it not, but am content to be,

Where meanest be, that blush to shew their face:

Who sees my face, a picture base may see;

Yet may he see, farre fairer find disgrace.

Disgrace not him, that sends me for good will:

But will him well. Requite not good with ill.

Invidia sibi, & alijs venenum.

The Contents of the fixe Bookes of the Surueyors Dialogue.

The first Booke.

Containeth a communication betweene a Farmer and a Surueyor of Land : wherein is prooued, that Surueyors of Mannors & Lands, are necessary both for the Lord and Tenants, and in what manner Tenants ought to behaue themselves towards their Lords, in respect of their Tenures.

The second Booke.

Is intreated betweene the Lord of a Mannor, and a Surueyor, concerning the estate of a Mannor, of the parts and profits therunto belonging, and how the Lord of a Mannor ought to deale with his Tenants.

The third Booke.

Is contained the manner and Methode of keeping a Court of Suruey, and the Articles to bee inquired of, and the charge how to enter and inroll Copies, Leases and Deeds, and how to take the plot of a Mannor.

The fourth Booke.

Is shewed the manner of the casting vp of the quantities of Acres of all sorts of grounds by the scale and compasse, with Tables of computation for ease in accompting.

The fifth Booke.

Is shewed the different natures of grounds, and whereunto they may be best employed, how they may be bettered, reformed and amended, fit for all Farmers and husbandmen.

The sixth Booke.

Containeth a briefe conference betweene a Purchaser of Land, and a Surueyor : wherein are some points necessary to be considered of such as are able and willing to Purchase Land in Fee simple, or by Lease.

The



THE SURVEYORS DIALOGVE, BETWEENE A

FARMER and a SURVEYOR: Wherein

is prooued, that Surueyes are necessarie and

profitable, both for Lord and Tenant: and

wherein is shewed how Tenants ought

to behaue themselues towards

their Lords.

THE FIRST BOOKE.

Farmer.

Sir, I am glad I haue so happily met
with you, for if I be not mistaken, you
are a Surueyours of Land.

Sur. Admit it so, Sir, what then?

Farm. I haue heard much euill of
the Profession, and to tell you my
conceits plainly, I thinke the same
both euill and vnprofitable.

Sur. You seeme to be but a yong
man in yeeres, and are you so deeply scene in the abuse
of this faculty, that you can so peremptorily condemn it?

Far. Call you it a Faculty? What meane you by that
word?

Sur. Abilitie to performe a thing vndertaken.

Far. When this faculty of yours, I say, is a baine faculty,
and a needlesse worke vndertaken.

B

Sur.

Surueying
rashly con-
demned.

Faculty.

Snr. Speake you this by coniecture, by report of others, or by due experience of your owne?

Far. I speake indeede, as induced to the opinion I holde, by all the three reasons.

Coniecture
often de-
ceined.

Snr. Then needes must you be either partiall or malicious in the first two, and deceived in the third. For hee that speaketh by coniecture, hath not experience, and he that speaketh by report, is as a truncke to conuey an vncertaine sound comming from one, to the eares of others: and if you speake by experience, then haue you a pretence to haue skill in the art, and by your owne experience it seemeth, you condemne your selfe to haue abused the same, and so condemne a generall necessarie profession, in respect of your owne particular error in the same.

Far. So *Snr.*, I am willingly vnskillfull in that contemptible vanity. But my experience groweth, by tasting of the ill that hath followed the execution of the thing, by some like vnto your selfe.

The most
faulky fin-
deth first
faulke.

Snr. This is a generall condemnation, rashly pronounced against all, for the abuse of some, and they only spew out greatest scandals, that are by examination, in this businesse found most deceifull against their Lords, and therefore no maruaile though the profession bee condemned and condemned, of such as are to be condemned, for the offender cannot speake well of the apprehender, nor scarcely of the most iust Iudge.

Far. You speake as if you knew some abuse in me: I tell you, you doe me wrong to attache me so.

Snr. Belike you thinke it free for you to censure other men at your pleasure, and to iudge them after your owne vaine conceit, and yet no reply must take hold of your vaine quarrell, that riseth of more malice against the innocent.

Far.

Far. Innocent: How can that be, when you pry into mens titles and estates, vnder the name (forsooth) of Surueyors, whereby you bring men and matter in question oftentimes, that would (as long time they haue) lye without any question. And oftentimes you are the cause that men lose their Land: and sometimes they are abridged of such liberties as they haue long vsed in Mannors: and customes are altered, broken, and sometimes peruerced or taken away by your meanes: And aboue all, you looke into the values of mens Lands, whereby the Lords of Mannors doe racke their Tennants to a higher rent and rate then euer before: and therefore not onely I, but many poore Tennants else haue good cause to speake against the profession.

The pretended causes why Surueyors are condemned

Ser. Be you not offended at the comparison which I will make to your allegations. Why should not such persons as are inhibited by the lawes of the Realme, to commit certaine actes within the Common-wealth, cry out against them, that by the same lawes are appointed Magistrates and Officers to see these lawes executed vpon them, as Roagues, Beggars, and other like vagabonds? for if such officers and overseers were not, these offensive persons might haue their wils: so should it follow, that men of peace, and good members of the Common-wealth, should be endangered to be sacked of that they haue, by such lewd persons. Necessary therefore is it, that there should be such as should see vnto, informe, punish, and reforme these. And by your assertions you may as well intend, vnder like reason, against keeping of Courts in a Mannor, wherein many abuses are found out, reformed, and punished, which without such Courts would lye smothered, festering so long, that there would be few found members left within the same.

Far. It seemes, you compare Tennants of Mannors, that are (many of them) honest, ciuill, and substantiall men, to

Knagues, and bagabonds. You forget your selfe.

Sur. My plaine words are, that as well these euil members of the Common-wealth may speake against the Surveyors of the Common-wealth, which (to speake onely of the vnder Officers) are the Iustices of the peace, Constables, and such like, as may Tenants of a Mannor speake against the surveying of their Lands within the same.

Friuolous
objections
against the
Suruey of
Lands.

Far. That were strange: for by the one, the whole State of the Kingdome is kept in peace, and by the other, many millions disturbed, that might liue quietly in their Farmes, Tenements, Houses, and Lands, that are now daily troubled with your so narrow looking therein, measuring the quantity, obseruing the quality, recounting the value, and acquainting the Lords with the estates of all mens linings, whose ancestors did liue better with little, then we can doe now with much more, because by your meanes rents are raised, and Lands knowne to the uttermost Acre, Pines inhaunced farre higher then euer before measuring of Land and surveying came in, and therefore I thinke you cannot but confesse, that other men, as well as I, haue good cause to speake of you and your profession, as I doe.

The faulty
are afraid
to be seene.

Sur. I perceiue that the force of your strongest arguments is, as before I said, your feare and vnwillingnesse that the Lord of the Mannor, vnder whom, & in whose Land you dwell, should know his owne: and that you thinke it better for you, that he should continue still ignorant of what he hath, and that your estates should bee alwaies hidden, and what injury you doe should be concealed, then that he should be acquainted with what you hold, and your abuses, inroachments, usurpations, intentions, and wrongs discovered.

Far. Why, we acknowledge that the Lord ought to haue his rent, and that is all, and our seruices at his Courts, but the Land we haue, is our owne.

Sur.

Sir. Howsoever you may account them yours, yet the Lord hath such an interest and property in them; as he may also call them his, nay, I may say, you are not in such sort your owne, but next vnder the King, you may be said to be the Lords.

Tennants
may be said
to be the
Lords men.

Far. I feare upon you, will you bring vs to be slaves: neither lawe, nor reason, least of all religion, can allow what you as-
firme; and therefore as I before conceived, so I may now protest, that you, and such as you are, are even the cords whereby poore men are drabone into seruitude and slavery; and therefore I say againe, it is pittie any of you haue any
imploiment in the Common wealth.

A rash cen-
sure.

Sir. What Sir, because I say you are in some sort the Lords? I tell you, that I mistake it nothing at all: for as the King is Supream head and Prince, and defendour of all his Subjects; so vnder the King is euery Lord of a Man-
nor chiefe and head ouer his Tennants; namely, ouer such as hold of him: And he hath a kind of commaund; and superiour power ouer them, as they are his Ten-
nants; and for that cause he is called, and they doe ac-
knowledge him to be their Lord. And what doth the word Lord import, but a ruler or gouernour? If he bee your Lord, then are you his, to be gouerned in causes de-
terminable within the Mannor; and as I will hereafter
prooue, the Lord of the Mannor may command his
Tennants to accompany him into the field against the
enemies of the King, by reason of some Tenures, and
they are to follow and be commanded and directed by
him, and if they refuse the seruice, the Lord may distraine
for it, or may enter vpon their Lands, and resume it as his
owne in some case; so that I may well say, that in a sort,
even your Lands and your selues are the Lords. The vse
and occupation is yours, but if the Land were so yours

The Lord
of a Man-
nor, vnder
the King, is
head of his
Tennants.
A Lord, why
so called.

as were none about you, you might then call it yours: but so is none, but the Kingdome which the King holdeth of none but of God. And no man is so absolute within the Kingdome, but he holdeth his Land of some Mannor, or person, or of the King. And of whome such Land is holden, the same is called the Lord of that Land after a sort, because it is held of him by some kind of rent or seruice, and by possibility this Land may come vnto, and by law be cast vpon the Lord of whom it is holden, as if you be so willing as you seeme, to talk of these Misteries, you shall anon perceiue. And therefore you cannot but say, that the Land and your selue, are in some sort the Lords. And therefore is it not lawfull for the Lord of the Mannor, to enquire and examine of the things in those kinds belonging vnto him? And if there be cleane and plaine dealing among Tennants, they need not feare who looke into their Lands and estates. But if there be deceits and wrongs against the Lord, policy willethe you to banish any man, and to barre all the meanes that may discouer them, though equity and honesty be contented to discouer all things to the manifestation of truth. Are not these the matters of chiefe importance that disquiet you? The measuring of your Lands, the obseruation of the quality, and estimating the value of your Lands.

Far. It is true: for these are the causes that our rents are increased, and our Fines rased, and this should the Lord neuer doe, if such as you did not intubule the Lords desire, by your too seuerer scrutations, examinations, impositions, and imputations: for were the Lords of Mannors ignorant of these things, as in former times, poore Tennants might haue things at the rate they had in former times.

Sur. My friend, if I compare you to a dead Image, be not

The inno-
cent needs
not feare to
be looked
into.

not offended, for I perceiue you haue eyes to see, and yet you see not, you haue a heart to vnderstand and yet your vnderstanding is amisse.

Far. I am beholding to you say, to make me worse then a beatt, for a beatt hath the things you say I want: how proue you what you haue said?

Sar. Because you impute your great impositions vnto the acte of an honest Surueyor, when I will assure you and prooue, that the cause is in, and of your selues.

Far. When indeede you might account vs brutish, if we should worke our stone woe.

Sar. I perceiue, though you may be a good worldly Farmer, you are but a meane obseruer of the course and carriage of things passing daily vnder your nose. He that hath seeing eyes and an vnderstanding mind, may easily see and perceiue, that there is no Mannor, nay, no Farme be it great, or little, farre off, or neere hand, but hath been and daily is discouered, by private intelligencers, lurking in or neere the same, prying into estates, ayming at the quantity, wide, short, or ouer, seldome hitting right, obseruing also the quality, and glauncing at the value of e- uery mans Land, and therefore secretly and vnder hand doe informe the Lords of the Farme, and they being credulous ouermuch, and not a little couetous, build their demaundes both of Rents and Fines, vpon these most deceiueable informations, whereby the Lord is abused, and the Tennant wronged: wheras were the things scene, viewed, and surueyed by a iudicious and faithfull Surueyor, who vpon due consideration, and discreet obseruation of all particulars, giues in a true and indifferent certificate vnto the Lord, vsing rather his yttermost induour to moderate and mitigate the Lords excessive demands then aggrauating the validity beyond reason or a good

Private intelligencers and not honest Surueyors, giue false informations to their Lords.

The course of an honest Surueyor.

conscience, you would be of another minde, and I protest, I hold that Surveyor a very bad man, that will either for affection or bribe carry a partiall hand betweene the Lord and his Tennants; yet sith he holdeth as it were the beame of the ballance, he should rather giue the better waight to the weakest, respecting nothing but a charitable course to be held by the Lord, for whom he traualleth with the Tennant, against whom if he speake not, he shall be often suspected of the Lord to be partiall. But if there be equall consideration on all sides, the Lord will beleue the Surveyor deales iustly, and the Tennant rest satisfied, willingly to leaue, or readily to accept, as his owne iudgment agreeth or disagreeeth with the things propounded. For this haue I obserued, that oftentimes Tennants consider not when they are kindly vsed, neither see they at all times when they are abused.

Far. Truly I beleue you in part: for indeede there are euen amongst vs, in the Mannors wherein I dwell, officious fellows, that to procure the Lords good opinion, will pay in to mens estates, and indeede as you say, into the quantity, quality, and value of mens Lands, and giue false information oftentimes, and I know it is a foule abuse, and of the tiue, I rather allow a true suruey, then a false report: for such fond fellows as are thus busie in other mens causes, are of all men least to be beleued: for they speake alwaies for affection or gaine: for they will extenuate the value of them they loue, or haue gaine by, and aggravate the same, as their hope is of the Lords reward: all this I know without your report. But what is that to the thing you charge poore Tennants withal, that they are the cause of their owne hard measure: declare your selfe of this slander.

Officious
Informers
dangerous
for Lord &
Tennant.

Sw. That can I easily doe by experience, and I thinke I shall haue the whole world to witnesse it for your further satisfaction, who cannot your selfe be ignorant of the

the same thing; for you haue in part confessed it: for the former Informers, of whome you last spake, are euen Tennants themselues, yet I accuse them not all, nay, I excuse none in particular: for I haue seene and obserued among them a kind of madnesse, as I may call it, but in the best sense it is a kind of ambitious, or rather auaritious emulation, wherein they strue one to out-strip another in giuing most: as where my selfe haue had businesse of this nature, namely, of letting, setting, or selling of Land for yeares or liues, being, or neere being determined, in Farmes or other like, whereby the Lord hath bene at liberty to dispose thereof at his will, for best advantage, by choyce of a new Tennant, Proclamation to that effect hath bene made in open Court, where I haue seene, and it is daily in vse, that one wil out-bid another, in so much as I haue wondred at their emulation, and could not haue asked what they haue raysed it vnto themselues. And should any that is in authorite in this case (who in duty is not to hinder the Lord) or the Lord himselfe inhibit such hot spirits to clime as high for the Lords aduantage, as the ladder of their owne will, and supposed ability will willingly carry them? This is not as one Swallow in a Summer, but they are many, and euery where Winter and Summer, and yet are other men accused and condemned for them and their faults, if their will (though wilfull) be a fault: but I should thinke it greater madnesse for a Lord, wilfully to refuse what is so voluntarily offered, and so willingly giuen. Now, who is the cause of raysing Rents and Fines?

Tennants
striving in
lowing and
bidding, in-
hanceth
Fines and
Rents.

Far. I know, such rash and ouer-fozward men there are in the world not a few, almost in euery Mannor, who are especially pricked forward to this emulation through enuie and auarice, hauing meanes to atchieue their desires. But

this bidding and out-bidding is in things, wherein the Lord is at his libertie to take a Tennant whom he list. But in customary tenements of inheritance & case is otherwise, where the Rent is and the fine (for the most part) certaine, what needes the Lord haue this suruey, or any free hold Lands?

Sur. It is fit the Lord should know what his Tennant holdeth, be it free or customarie, though at this day there be a needlesse nicenesse in some free-holders of Mannors, who seeme to conceale their estates, and to kicke against the view of their Lands: but if they knew what they did, they would reforme that error.

Far. Call it you an error, for a free-holder to refuse to shew his estate to the Lord, or not to suffer his Land to be surueyed?

Sur. I may well so call it, nay, I may call it a great fault, or an iniurie done against the Lord, and hurtfull to himselfe. There is none (it may be you know it) that holdeth land of a Lord, but he holdeth the same by some kind of Rent or seruice, and when he comes to take vp his Land after the death of his auncester, or vpon purchase, but he doth or ought to doe homage & fealty, or one of them, vnto the Lord of whom he holds it: the doing whereof, how ceremonious it is, if you be a Tennant to any such Land you know, and when he maketh a solemne vowe and oath, to be true Tennant vnto the Lord for the Land he holdeth. And sometimes the Tennant of such a Tenure, is forced to be ayded by his Lord for the same Land, if he be impleaded for it: now, if such a Tennant refuse to shew his estate, or to permit his land to be seene, how performeth he his oath, to be true Tennant, and to doe such seruices as are due vnto the Lord? among which, this, of permitting the Lord to know his owne, is not the least, nay, he ought by his oath
of

Homage
and fealty
by free-holders.

offidelity: to further it by all meanes, both by his proper knowledge and euidence, not onely his owne, but other mens lands, and thereby he shal not onely not preiudice himselfe, but he shall fortifie his title so much the more, by hauing his euidence enrolled, and his land recorded in the Lords booke of Suruey, that when his heire shall take vp the land, or bee alien the same, it appeareth that he is true Tennant vnto such lands for such rent, and for such seruices: but there be so many scruples thrust into mens heads, by such as haue a pretended skill in matters of policy in this kind, and Lords of Mannors haue beene so remisse in taking knowledge of the things in this manner appertaining vnto them, that questions of Titles and Tenures are daily had and mooued, to the great trouble oftentimes both of Lord and Tennant, as is seene by experience daily as well of land holden of the King, as of inferiour Lords, which may be reconciled, if Tennants were not too curious, and Lords too negligent. Besides this, there are other reasons to mooue the Lord to know what land is holden of him, and by what title, rent, and service: for free-holders may forfait their land, and their land may escheat vnto the Lord: if then he should be ignorant what land it is, where it lyes, and how much it is, he may be easily abused for want of records: and so are many Lords of Mannors, who for want of due knowledge of their Tennants and of their land and Tenures, other men are intituled to their right.

A needles nicenesse in free holders to shew their deeds and Lands to the Lord or his Surueyor.

Some Lords too remisse in surueying their Land.

Par. You haue said more then I heard or dreamed of, and it holdeth in some sort by reason, how it is by lawe I cannot dispute, but in all that you haue said, you haue not satisfied me in the thing before I spoke, touching the Prices of customary Tennants of inheritance, which (as I said before) haue bene of late raysed farre higher then in former times, by your Surueyors.

The Surveyors Dialogue.

Sur. You strike alwaies one string, & I find the sound of your meaning you would alwaies be as easily charged in your Fines as might be: and in that I blame you not, it is every mans case to beare as light a burthen as hee can, But if you remember what I spake before, touching the cause of this raising of Fines, where I prooued it came most by your owne meanes, you may be the sooner satisfied in this, for it is in nature like the former. Although this kind of Tennant hath seldome any competitor to emulate his offer, because the Tennant leaueth commonly one either in right of inheritance, or by surrender to succeed him, and he by custome of the Mannor is to be accepted Tennant, alwaies prouided, he must agree with the Lord, if the custome of the Mannor hold not the Fine certaine, as in few it doth now this composition is commonly made by demaund of the Lord, and offer of the Tennant. The Lord asketh according to his conceit of the value of the thing, and either his knowledge must arise by his owne experience, or by information: the information is either by secret intelligence of some officious neighbour, or by due iudgment of an indifferent Surveyor, namely, such a one as carrieth equall respects to Lord and Tennant. And although, as you alledge, former times did afford Tennants more fauour in rating and arbitrating Fines, as you suppose, if you consider it well, it is now as then it was.

Far. You much mistake it: for I will shew by ancient Court rolls, that the Fine of that which is now twenty pound, was then but thirteene shillings and foure pence, and yet will you say they are now as they were then?

Sur. Yea, and I thinke I erre little in it. For if you consider the state of things then and now, you shall find the proportion little differing: for so much are the prices of things

Information hurtfull
in Fines of
Land of inheritance.
customarie.

Former
Fines and
Rents, and
the present,
not vnequall

things vendible by Farmers now increased, as may well be said to exceede the prices then, as much as twenty pound exceedeth thirteene Shillings foure pence.

Far. You speake farre from truth, and I maruaile you will erre so much, pretending to be a man of that reach, that men employ you to ouer reach others.

Sur. To shew you then an instance, looke into the Cronicle in the time of Henry the sixt, and you shall find, that a quarter of Wheat was sold at Royston in Hertfordshire for twelue pence: and I trust, if you be a Farmer, you are a corne-seller, and I thinke, if a man offer you thirty times as much for a quarter, you will say it is better worth.

John Stew.

Wheat at
twelue
pence the
quarter.

Far. Was it possible that Corne was then and there so cheape, and to rise since to this rate: it is very strange.

Sur. Not at all: for since there grew such an emulation among Farmers, that one would out-bid another, (which in the beginning was little seen) it grew at length that he that bought deare, must sell deare, and so grew the prices of things by degrees to this rate as now they be, and a Farmer gets as much by his Farme now, as then he did.

Far. You erre therein, I assure you: so else could Farmers haue as good houses and hospitality now, as they did then, and alas, you see how vnable they be.

Sur. It is true, and the reason is manifest: for where in those daies Farmers and their wiues were content with meane dyet, and base attyre, and held their children to some austere gouernment, without pride hauing ale-houses, Taverns, dice, cards, and vaine delights of charge, the case is altered: the Husbandman will be equall to the Yeoman, the Yeoman to the Gentleman, the Gentleman to the Squire, the Squire to his superiour, and so the

Indubitan
2
Kens of
and prices
of things
grow toge-
ther.

The causes
why things
haue grown
to this ex-
tremity.

rest, every one so far exceeding the course held in former times, that I will speake without reprehension, there is at this day thirty times as much vainely spent in a familie of like multitude and quality, as was in former ages; whereof I speake. And therefore impute not the rate of grounds to a wrong cause, for to tell you truly, both Lord and Tennant are guilty in it: and yet they may be both content, for they are as the Sea and the Brookes: for as the Rivers come from the Sea, so they runne into the Sea againe.

Parson. To tell you truly, you haue said more then I haue heard, and indeed it stands with some reason; and you haue in part satisfied me, that the cause of our complaint is not so grievous, as I and infinite other haue supposed it. Yet to tel you as I and others haue found, there be some of your profession haue eyther none at all, or little, or very hard consciences, and for the most part such as haue least skill: and such indeed I thinke vnnecessary for Lord, or Tennant: for they cannot but abuse the one or other by their reports: and the records which they make, may breede quarrell many yeares after. And therefore as the Surveyor is a member (as you hold) not onely tollerable, but necessarie, I wish there were fewer, and they honest, iust, and skilfull: for to tell you truly, we haue thought among vs Countrey men, that there are more then can be employed, as it seemeth by their publique declarations of their want of worke: for as I haue passed through London, I haue seene many of their Bills fixed vpon posts in the streetes, to sollicite men to affoord them some service: which argueth, that either the trade decayeth, or they are not skilfull, that beg employment so publickly: for this vndubitable suspensa bedera non est opus. A good workeman neede not stand in the streetes or market place.

Ser. I confesse, in this you haue said truly: for none that is indeede fit for employment, will, or needes to craue it, in such manner, for they will be sought vnto and solici-

Vnskilfull
Surveyors
vnnecessary

Surveyors
Bills vpon
posts in
London.

Solicited. But every one that hath but a part of the art, may, if he can performe some one, two, or three parts, is not thereby to be accounted a Surueyor, as some Mechanicall men and Country fellowes, that can measure a peece of Land, and though illiterate, can account the quantity by the parts of money, as a penny to a pearch, a groat to a daies worke, ten groates to a Rood, and consequently, a marke to an Acre, which manner of casting sufficeth, and satisfieth them in their small accounts, but the manner of their measuring is often erroneous, as I will shew you hereafter, if leysure serue. Some haue the skill of plotting out of ground, and can neatly delineate the same, and by Arithmeticke can cast vp the contents, which is a necessarie poynt of a Surueyors office, but not all.

The perfection of a Surueyors office consisteth not in one part.

Far. Having your tale sayd, we poore Country men doe not thinke it good to haue our Land plotted out, and me thinks indeede it is to very small purpose: for is not the field it selfe a goodly Map for the Lord to looke vpon, better then a painted paper? And what is he the better to see it laid out in colours? He can adde nothing to his Land, nor diminish ours: and therefore that labour about all may be saued, in mine opinion.

Say. They that speake at any time against any thing done, or propounded to be done, doe either shew their reasons against it, or else they conceale their conceits; and without any good argument, inueigh onely against the thing. And I know your meaning in misliking plotting of your Land, and yet you utter not what you thinke for a plot rightly drawne by true information, describeth so the liuely image of a Mannor, and every branch and member of the same, as the Lord sitting in his chayre, may see what he hath, where and how it lyeth, and in
whose

A plot of Land necessary.

Great abuses that grow by Farmers and Tennants that are free-holders.

Want of plots of land preiudiciall to Lords.

whose vse and occupation every particular is, vpon the suddaine view; which Tennants mislike, not that the thing it selfe offendeth them, but that by so they are often preuented or discouered of deceitfull purposes. For a Tennant that is both a free-holder and a copy-holder for life, or by indenture for life or yeares, holding these lands intermixt, may easily (vnlesse the Land for life or yeares, be very especially buttred and bounded in their copies or leases, as seldome they are, through the sloath of some stewards, or for default of a true survey to guide them) appropriate vnto himselfe copy or leased land for free, and especially hauing time enough to alter names and properties, to remoue meeres, and to cast down ditches, to stocke vp hedges, and to smoothen vp truth and falsehood vnder such a cloake of conueniencie, as before it be suspected or found out by view, it will be cleane forgotten, and none shall be able to say, This is the Land: whereas if it be plotted out, and every parcell of free copy leased, and the rest be truly distinguished, no such trechery can be done against the Lord, but it shall be most readily reconciled. And I dare presume to say, that the want of due plots and descriptions of land in this forme, hath bene the occasion of infinite conicealments, and losses of many mens land, and many intrusions and incroachments haue bene made, and so long continued, that now neither memorie or record can reforme them; besides infinite other abuses, which are daily done to the preiudice of Lords, for want of such a monument to be alwaies at hand for their instruction.

Far. You say unhappily, I thinke, to some mens purposes: but for my part, I promise you I had no such thought in me, and yet what you say, may indeede be easily wrought in most Spannozs, if they be as the Spannoz is wherein I am
a Tennant.

a Tenant: for I am perswaded, there hath not bene any vicw taken of it, or perambulation made, or suruey had within the memorie of any man alieue. And to tell you truly, I thinke the Lord hath much wrong both by his owne Tenants, and by confining Lords: for so the Lord haue his rent, and his other duties of vs, he is contented: but I may tell you, if he did better looke into it, it would be better for himselfe and his hereafter, yet we wish he would let it rest as it doth, for we may doe in manner what we list, and if a Suruey or come, we shall not doe as we haue done, nor hold that that some haue held, long, without any trouble: but that I leaue, Then you say, that plotting is the chiefe part of a Surueyors skill.

Tenants
commonly
with not for
Surueyes.

Sur. I say not so, but I say it is necessary for him that is a Surueyor, to be able to doe it, and that he be painfull and industrious, and having this quality with the rest more necessary, he may be then called a Surueyor.

Who is a
Surueyor.

Far. What are they I pray you?

Sur. To little purpose I thinke I shall tell you, yet because you may know that euery one that hath the name, is not indeede a Surueyor, for besides the former faculty of measuring and plotting, he must haue the vnderstanding of the latine tongue, and haue some sight in the common lawes, especially of Tenures and Customes, and must be able to reade and vnderstand any auncient deeds or records, French and latine, and to iudge of the values of land, and many other things, which if time will permit, I will hereafter declare more at large vnto you.

What a Sur-
ueyor must
be able to
doe.

Far. Why is there such a precise knowledge required in a Surueyor?

Sur. Because they are imployd in such businesses as concerne greatest persons in their estates: for although men be indowed, by the prouidence of God and of his bounty, with honors, Mannors, Castles, houses, lands,

D

Tene-

Reuenues
the sinewes
of Honour.

Tenements, woods, and other like reuenues, which in-
deede are the sinewes and ligaments which conioyne
and tye honor and habilitie together, yet if these be not
managed, guided, and carefully continued and increased
by a discreete and honest Surueyor, for and in the name
and behalfe of his Lord, and the Lord againe proportion
his expence and charge, according vnto or within the
compasse of his knowne Incomes, the Lord may be dis-
abled to maintaine that which he hath gotten, the title of
honor: and where honor is without meanes, it wanteth
the substance, and hath onely the shadow of it selfe to
delight in.

A discreet
Surueyor
may be a
good meane
to manage
the Lords
reuenues.

Far. It behoues not onely men of Nobility, but inferior
men also to looke vnto themselves, for the preservation of
their estates, but they indeede that haue but little may quick-
ly view it: *Sufficit exiguo strigulatio curia caballo.* But he that
hath many Honors, Mannors, Lordships, Tenements and
Farmes, cannot of himselfe take view of them al with ease:
for indeed they lye for y^e most part dispersed in many parts, &
they must be aided by y^e skilful & industrious traualle of some
iudicious Surueyor, who finding by his view & examinati-
on, the true values and yearely possibilities of his Lords
Lands, may be a good meane to retaine his Lord within
compasse of his reuenues, and to moue him to be good to his
Tenants, and by that meanes the Surueyor shall deserue
praise, and his Lord winne more honor. But I maruaile
how such great persons did before Surueying came by: for
this is an vpstart art found out of late, both measuring and
plotting.

Plotting of
Land, and
measuring,
is very an-
cient.

Sur. You speake, I thinke, according to your conceits,
but I will prooue it far otherwise, that measuring, plot-
ting, and surueying hath bene vled in all ages of old.
As for description, it was vled in Egypt by *Protony* the
King, who described the whole world. And where the

Riuer

Riuer Nilus in Egypt ouerflowed the banckes (as at this day it doth about haruest) the violence of the inundations were such, as they confounded the marks & bounds of all the grounds that were surrounded, in such sort as none knew his owne land: whereupon they deuised to measure euery mans land, and to plot it: so that afterwards alwaies at the waters recesso, euery man could find out his owne land by the plot.

Far. Truly that was a most excellent inuention, and I thinke it indede a most necessary course to be held in some grounds that I know in England, which are subiect to like confusion: many Marsh lands nere the sea coast in Kent, Souther, Essex, Suffolke, Lincolneshire, Cambridgeshire, and other Shires confining the Sea, or subiect to great waters, and if they were thus plotted out as you say, I must needs confesse it were a good worke, howsoeuer these kindes of grounds should be hereafter surrounded, increased or diminished by the force of the Seas continuall rage, whereunto they are daily subiect, for by that meanes, if the ditches, which are the ordinary meeres, meates and bounds betwixen seuerall mens lands, be confounded, this deuice might after the winning of these surrounded grounds againe, truly reconcile them, and alot euery man his owne, which otherwise will be impossible to bring to true appropriations. And this in my conceit, is not the least part of your profession, to lay out grounds in their true formes, that euery seuerall parcell may be distinguished from other: for I know where great strife hath risen by confounding one Mannors with another, where the Sea hath won and lost ground, and deuoured the true bounds, of which I am not alone witness, and it is daily scene, that questions doe rise by like casualties, where townes, houses, fields, woods, and much land hath bene and are daily deuoured, and in some places augmented, Kiners by force turned out of their right courses, vpon other confining lands: whereof time hath taken such hold, as the truth is now brought in question, to the stirring vp of quarrels be-

Grounds
subiect to
surround-
ing, fit to
be plotted.

twene parties, which if these places had bene formerly laid out in plot, the doubt would be easily answered. In these things I cannot but agree with you, that your profession may teach men that haue vse of your trauaile in this kind, although no such art hath bene vsed, nor is it reported to haue had any vse in the word of God.

Every matter in matter in moderate use among men, can not bee prooued to haue had vse in holy Scriptures.

Sur. Is there a necessity to produce the vse of this, from examples out of the word of God, when these indifferent things are left to the discretion of man for matters of politike and ciuill society? If euery profession should be driven to fetch authority from the vse in sacred things, many things plentifull amongst vs that liue in a Common-wealth, would be found prophane: but because you seeme to vrge it, I will not sticke to let you know, that it is not without example in the old Testament. If first you wil haue the prooue of mesuring, looke into the 2. Chapter of *Zacharie* and there shall you find, that the Prophet reporteth, that *hee saw a man with a measuring line in his hand, and he asked him whither he went? and he said vnto him, To measure Ierusalem, that I may see what is the breadth thereof, and what is the length thereof.*

Far. I doe remember now that I haue read such a thing indeede, but as I take it, this measurer was an Angel of God.

Sur. Then is the warrant of measuring so much the more strongly confirmed vnto men. But you may perceiue that measuring was then in vse in other things: for had not there been the vse of the measuring line before, how could the Prophet haue knowne it to be for that purpose?

Far. Yes being a Prophet.

Sur. He could not haue called a thing by it proper phrase (to the vnderstanding of other) that had not been in vse before, neither could his relation thereof haue been vnderstood of them to whom he declared it, vnlesse they also

also had before knowne the like.

Far. Can you produce the like of Surueying?

Sur. Ioshua commaunded the children of Israell, that euery Tribe should choose out three men, that he might send them through the land of Canaan, to view, suruey and to describe it: for so is the word, *Thou shalt describe the land into seauen parts, and bring them hither to mee.* And what description could they make, without viewing and surueying the places?

Far. It is true that you say, such a view was taken at that time, that euery Tribe might haue his portion of inheritance. And surely in these Surueyors was much trust reposed by Ioshua the chiefe head of the children of Israell: for according to their report, did Ioshua deuide to euery Tribe his portion. This surely was a worke of great discretion and iudgment in the Surueyors, and great prouidence in Ioshua: for indeede he could not trauaile in all those parts himselfe, and therefore he did wisely to appoint such as were fit to performe the seruice, and it makes me remember your former defence of the profession, in trauailing for great persons, who cannot afford time nor paines to view their owne lands themselves. And it is not euery mans gift to be able to deuide Lands into equall, or certaine vnequall parts, that men that are parties therein, may hold them equally dealt with all, vnlesse it be such a one as hath skill in deuiding and apportionating, which thing comes often to use among men in this Common wealth. And further authorities, or better warrant then these you haue produced, for my part I will require none, vnlesse you can and will voluntarily shew some later examples within our owne kingdome, done in our forefathers times, for I like not nouations and new deuices that our forefathers haue not sene or done.

Ioshua 18.
Surueying
procued by
Scripture.

Euery man
can not e-
qually di-
uide Lands
into many
parts.

Sur. If you had time and experience to looke into, and to vnderstand what hath been done concerning this matter long agoe, you should find in the records of the

Tower even before the Conquest, matter to satisfie you, that this profession was then in vse, and there shall you find the suites. And since the Conquest, the booke called *Doomes day*, lying in the *Exchequer*, will confirme you I think sufficiently, that it is not as you say a new inuentio. Beside, the same art hath been in summe and substance established by acte of Parliament, and called *Extenta Manerij*: vpon which Statute, that learned Iudge Master *Fitzherbert*, hath written a litle commodious and compendious Treatise: so that if you stand vpon any further authorities, I will leaue you to the present generall vse thereof, which men of best discretion and greatest reuenues doe hold and continue, and none spurne against it, but the malicious or ignorant.

Far. I confesse, I was lately ignorant of the things which now in part I know, but I was neuer malicious: as for the records and Statute whereunto you referre me, I beleue you without further search, and for mine owne part I am sorie that euer I haue so with others backbitten the profession, and slandered the honest professors thereof: for I now doe well see and plainly vnderstand, that the same is lawfull and expedient, and not any way hurtfull vnto the Tenants, if the Surveyor be skillfull and honest, and his information (giuen by skillfull and willing assistants, which are the Tenants themselves) be true, and his help of the Lords records ready: for these are the two pillars, vpon which a Surveyor must of force build his worke, information and record, as I take it, although record be alwaies preferred before verbal intelligence, yet if records be neuer so autentique and true, of things vnkowne to him that hath the examination of them, what can be effected or done, but as by a blind man that knowes his face is to his way, but how and where to step he is vncertaine: and although he desire none to beare him, because his legs are sound, yet he will not refuse to be led by the hand the way he would goe. So a Surveyor, in my

3. Edward. 1.
Extenta
Manerij.

The Lords
Records,
and the Tenants
infor-
mations,
are the pil-
lars of a
Survey.

poore opinion, that hath a bundle, nay a whole truncke full of records of severall tenements, and parcells of land whose names he can reade, whose buts and bounds he can relate, but yet he sees not the way of himselfe to goe to them, or can say without direction, This is this or that piece of land, and therefore I know, that Tenants must give ayd to a Suruey, or, or else he will faile though not in his art yet in the truth of his worke.

Sir. You haue said well, and it appeareth, your apprehension is good in this businesse, and indeede the ayd of the Tenants is a good helpe in this case, especially when records are also present: for if record and their information concurre, then is the Surueyor in the right way. But many times if the Surueyor cannot helpe the Tenants by his records when they are at fault, hee shall hardly find which way his game goes: for a skilfull Surueyor carrying his record in his hand, in his perambulation of a Mannor, shall after the first entry be able to guide himselfe, and goe from place to place, from field to field, euen by his owne euidence, if they be truly made, and the buts and bounds right, especially if the names continue vnaltered, and that the Tenants can auow it as he citeth it, and nothing then is to be altered, but the names of owners, who change often. And for this businesse, the fittest men to accompany the Surueyor abroad are the most auncient, and longest inhabitants within the Mannor, for the Surueyors instruction; and the yongest, to the end they may also learne to know the like, to give like ayde by their experience to posterities.

Far. He thinks it were a good course (if I be not too saucy) that a Surueyor should after his perambulations made, and the particulars entred, publicly read the same before the Tenants in open Court, to the end that they may approve or reprove what is true or mistaken, so the best may

erre

The Surueyor by the Lords records may in some things guide the Tenants.

The auncientest Tenants fittest to guide the Surueyor.

erre in setting doone of many things.

Tenants
vnhwilling
to accom-
panie the
Surveyor.

Sur. I like your aduice well, and surely he that doth not so, and compare it also with former records, doth not as behooueth. But I know, and haue found by triall, that Tenants thinke it a hard imposition, once in their life time to attend such a businesse, they had rather doe any worke, then to doe their Lord seruice, and themselves this good: for many of them are so wise in their owne conceires, as they thinke them fooles that giue any assistance vnto this worke: and some so wilfull, that if they knew that they and theirs should be for euer benefited by it, they will stand aloofe, and any small occasion of their owne will easily withdraw them from it: and some againe are so worldly, that they thinke no day well spent, but that is spent vpon their present profit: & lastly, some are so giuen to their vaine delights, as neither loue of their Lord, or feare of forfayture of their Tenements, or doing good to their neighbors, or securing their posteritie, can get any duty in this behalfe to be done by them.

Par. As farre as I conceiue, the Lord of a Mannor may force his Tenants at such a time, to giue their attendance: else you may well thinke, not a few would find excuses enough to absent themselves.

The Law
punisheth
Tenants
that will re-
fuse to aide
him in his
Suruey.

Sur. You say well, and therefore hath the Lawe provided a punishment for those that will not doe their duties in this, or in any thing that the Lord hath to doe within his Mannor, for ordering of his Tenants. And because Tenants should not be forgetfull of their duties, they were in former times, and may be still, summoned to the Lords Court every three weekes at this day. And the Lords remissnesse in calling them, hath bred in many places a kind of contempt, whereby groweth their slacknesse in times of their Lords seruice. But the Lord
of

of a Manner hath power to punish them, and they are remediable without submission, if the paine be within the compass that the Court will beare, which is large enough to weary him that is most arrogant.

For, You have satisfied me in many things whereof I doubted, you have cleared the profession it selfe of many slaunders, and for my part I will henceforth speake more sparingly, and aduise such as I heare to forward to be better advised. And were I perswaded fully, that I my selfe might be a Surgeon, and yet retain a good conscience, I would wish I were also capable of the same faculty.

Sir. And if I were perswaded, that you would giue an indifferent eare, and afford an impartiall censure of what I would deliuer vnto you, I could be contented to bestow some time, to shew you what were fit to be done, to the attaining vnto such a measure of knowledge in the same, as might inable you to steed your selfe and your friends in that kind of office.

For, I would think it well, if I could attaine but to some part of this faculty, I would leane the rest to better capacities: but my desire is farre from it, if I may not be assured that the practice is lawfull, for I would deale with nothing, wherein I might stand fearefull that God alloweth it not.

Sir. I like you wel, I wish him that you seem to feare, to fauour all your honest desires, and mine, and that his blessing may follow euery our good intentions: for who soeuer vnder taketh any profession, be it neuer so lawfull or expedient and necessarie for Church or Commonwealth, and hath not the grace and fauour of God to guide him, he may for a time seeme to prosper in it, and to shew him and ruffe it out with shewes of great blessednesse, but it is but like *Jonahs* Gourd, that grew vp in one night very great & faire, but wythered the next morning.

For, What I thank God I haue learned, and to tell you truly,

and yet
I am not
satisfied
with the
same

and yet
I am not
satisfied
with the
same

and yet
I am not
satisfied
with the
same

No profes-
sion with-
out the
fear of
God can
prosper,

and yet
I am not
satisfied
with the
same

The br-
uest is ac-
compted
most skilful

The simply
honest,
most sus-
pected.

Though
the wicked
seeme not
to see their
own errors,
God teach
them, and
will disco-
uer them.

Some are
naturally
inclined to
some pro-
fession.

for my part I have not been able to see what I can do to get my calling free from business, contention, and striving, leaving it all to them to get infinite wealth thereby: yet, although not the world, but mine alone conscience can condemn me for it: for I see such riches continue not many generations, neither hath it a promise of any blessing, although I know that they that can be rich and honest, and stand fast, are the best sort accounted of: for they are both wise and pious, and to have skill in their profession, whereas others that have not the mind to be so corrupt, cannot keep pace with them in riches, and therefore are condemned to be simple fellows, and their honest carriage and moderate rate in the world, maketh their ability to performe what they undertake suspicious: yet had I rather of the two, chose the last; howsoever my reputation by employment be regarded in the world.

Sch. Your are in the right way of a good conscience, which is a continuall feast, such a feast, and of such sweetness, as the world cannot see or understand the same; but happie is he whose conscience accuseth him not: for howsoever men may seeme to set a good face on evil actions, as if he could not accuse himselfe by his due examination of his owne heart, yet it will come to passe that his conscience will one day bewray it, to his intolerable terror, and he shall be forced to accuse, judge, and condemn himselfe without any further witness. And this I tell thee is the end of all such as feare not God, and live not uprightly and iustly in their callings: for it is not the calling it selfe that corrupteth the man, but the man may be corrupted in his calling, and abuse his best profession; therefore I say, (as that thou find thine inclination apt unto this profession, and in thy desire thou tremble not to attempt the same, for some professions are more natural then others to euery man, and all mysteries and sciences, whatsoever, are attained by some with gra-

ter facility and ease then by others: and come by small industry, study, and endeavour shall reach the quickly to that perfection in some faculty, wherein another shall never excell, live he neuer so long, and be he neuer so studious and painefull.

Baro. I am not inclin'd in earnestly to plucke into this course of life: how it will succede, must be learn'd by practice: but that is the least doubt, all my soure is, whether I may doe it and yet serue God.

Sar. Know this that if thou bee already of a godly conuersation, hauing the true feare of God sealed vp as it were in thine heart, and dost not desire this profession, as *Simon* the Magician did, for lucre sake, only as hee desired diuine knowledge, thou mayst assure thee, this profession will not hurt thee, although the workeman is worthy of his hye: for none will force thy labour for nought *operarius dignus mercede*, and *dulcis labor cum lucro*. If men did not get by their honest paines, it were meere slavery to vndertake any kind of faculty. But to come to the lawfulness of it, know that it is the manner of the execution, and not the matter of the profession that woundeth the conscience. Euery man is not borne nor bound to one faculty or trade, neither consisteth the common wealth of one member but of many, and euery one a seuerall office too long to expresse them all in kinde. Is not the eye Seruey or for the whole body outward, and the heart the seacher within? and hath not euery common wealth ouerseers of like nature, which importeth as much as Surueyors? And is not euery Mannor a little common wealth whereof the Tenants are the members, the Land the body, and the Lord the head? And doth it not follow that this head should haue an ouerseer or Surueyor of the state and gouernment of the whole body? And fol-

The manner of the execution, not the matter executed hurteth.

Surueyors of the body

A Mannor is a little Common-wealth.

Princes and
mean men
Survey
their small
things e-
uen their
little Farmes

lowers it of necessity, that the officer is unlawful? A true
just officer maketh not the office his, no more then a
crabbed face impaireth the faire glass, wherein it loo-
keth, or a dusky cloud corrupt faire water wherein it
lowreth. In case of Suruey of Land, against which you
haue so much iustified, if you consider it in reason, and
make it your owne case, you will say perchance, the case
is altered. You haue now per adventure a small Farme,
will you bee careless and dilolute of the estate thereof
will you not wey and consider with your selfe what Land
is fit for Pasture, what for Arable, what for Meadow, and
thelike? And will you not command your seruant to
view it dayly, that no trespasses beed done therein, and to
see vnto the hedges, ditches, fences, water-courses, gates,
and such like? Will you not regard the estate of your
Catrell, their number, health, and safety? And haue you
not a continuall watch ouer all your seruantes and chil-
dren, and to the preservation of things within and with-
out? If you doe thus in one small Farme, what would
you doe in many, could you see vnto them all your
selfe? If you had as many Mannors, would you be at
home and receiue the rents and fines that your Ten-
nants would bring you, without consideration of their
states or values quantities or quallities of the things for
which you receiue money? And why haue you this care,
or would you looke into these things? Is it not, because
it is your lining and livelyhood, by which you and yours
are maintained? And how much the more it is neglec-
ted, so much the more it decayeth. If it decay in quan-
tity, you cannot continue equal in quality. And can you
therefore thinke it a hard course in that Lord, that ha-
uing his Lands which are his livelyhood, dispersed in di-

If Reue-
newes de-
cay, a man
cannot de-
cayes

lowers

E

uers parts of the Realme, to which, through greater im-
 ployments of importance, he cannot personally resort, if
 he could it is neither for his experience, nor fit for his cal-
 ling to trauaile therein) to authorize and send such as
 may take view of his reuenuet, and of the estates of his
 Tenants, who are by custome and law in many things
 bound vnto him, and that by such his substitute, hee may
 be truly aduertised of what he hath, and how his meanes
 doe arise, that he may proportion his charge and expen-
 ces accordingly? and whether he be abused by his Ten-
 nants, or his Tenants by his officers, or one Tenant by a-
 nother, or the Lord wronged by confining Lords, by
 intruding too farre into his lands, how rents be answer-
 ed and customes continued, how free-holders doe per-
 forme their sures vnto his Courts, how his Tenements
 are maintained and repayred, how his Woods are pre-
 serued, his fishings, fowling, and prerogatiues maintay-
 ned? All which, by how much the more they are neglec-
 ted and let runne without view or suruey, so much the
 more doth the Lord weaken his estate, and preiudice his
 heyre: wherein, it cannot be denyed, he offendeth God,
 deceiueth the King, and defraudeth the Common-
 wealth. God, in that he is carelesse of his blessings, be-
 stowed vpon him. The King, in that he wilfully disableth
 himselfe to doe him the seruice he oweth him in body
 and goods: and the Common-wealth, in that he disableth
 himselfe to giue it that assistance, that his quality and
 place ought to afford: and consequently, sheweth him-
 selfe vnworthy to ouersee matters of State and Com-
 mon-wealth, that is carelesse to see vnto his owne. Fur-
 thermore, where a due and true suruey is made and con-
 tinued, there is peace maintained between the Lord and
 his

Great
 Statesmen
 cannot sur-
 uey their
 own Lands.

The charge
 imposed
 vpon a Sur-
 ueyor,

Wherein
 Honours-
 ble persons
 doe offend,
 in neglect-
 ing their
 Reuenues

True Sur-
 ueyes con-
 tinue peace
 betweene
 Lord and
 Tenant.

his Tenants; where, if all things rest betweene them confused, questions and quarrels arise, to the disturbance of both. In priuate families, if there be none to oversee and to manage things domesticall, what disorders, what outrage, what vnciuill and vngodly courses, and what spoyle and ruine of all things doe follow? The like of necessity, where Tenants are left vnto their owne wils: and yet, as the vntruly company in a family could be contented to be masters of themselves, and to haue no controlement: So Tenants can well brooke their Lords absence, and that they might be their owne cariers, and that the Lord should haue what they would yeeld of their own accord. I speak not of the honestly minded: but when a multitude is without a guide or gouernor, there is disorder; and disorder breedeth complaints; and complaints are vsuall to a kind Land-Lord, who must be forced for redresse, to punish the offenders: and the most offensive will speake most of their wrong, and will soonest exclaime against any course that may keepe order. So that, to conclude, I affirme, that it is most requisite and expedient for due order sake, that euery Lord of a Mannor should cause his Lands to be duely seene, and truly Surueyed and certified, and once in seauen or tenne yeares to haue it reuiued: for the inconueniencies that grow by the neglect thereof, are of so many kinds, and they so dangerous, (like the most perillous disease long concealed) that they worke contempt in the Tenants, and losse to the Lord. Now, to keepe this vpright betweene the Lord and his Tenants, I thinke you cannot deny, but a true and honest Suruey is necessary and lawfull, and may be performed with a good and safe conscience, and in the feare of God: if (as I haue said) the conscience be not before stained

The faultie
will first
find fault.

A Suruey
must be re-
newed once
in seuen or
ten yeeres.

gained with the corrupt desire of vnlawfull gaine, and (as I said before) I thinke few or none will mislike the course, but such as are farre gone in some disease of deceyting their Lord, which cannot indure to haue this kind of salueto come heere their fore.

10 Far. Truly Sir, I knowe not how to answer you, but doe consent to that you affirme: For, for mine owne part I can not but confesse, I can find nothing in mine experiente to contradict your speech. But pittie it is that Surueyors should be ignorant, or dishonest: for the one especially abuseth the Lord, and the other together both Lord and Tenants.

Ser. But whether is there cause, in your conceite, to approoue or reprocue the profession, as it is simple in it selfe? Deliner your mind plainely, leaue not a scruple in the mindes of your Neighbours, that haue exclaime with you against them that neuer offended them, reproouing as much as they durst, Lords, for looking into their owne lands: and vnlesse Lords were dead images or Pictures of men, hauing onely the name of Lords, and could not at all command their Tenants, that could neither heare, see, nor consider what were fit to be done with their owne proper Reuenewes, I cannot but wonder, that any should spurne against them herein.

10 Far. I thinke you speake something too fiercely against Tenants in generall: for surely all are not oppositeto this course, though some be.

Ser. I condemne none, but I reprooue some, that of mine owne knowledge haue giuen testimonie of their inward dislike, by their outward murmors, for what is done with an euill will, can not be said to be done at all. Such as come cheerefully to the seruice, are dutifull, and I hold it impierie to abuse them, but the vnwilling defence little fauour.

None mislike true Surueyes, but deceiuers, and such

Lords that will not looke to their owne Lands, are as dead Images.

Euill will is neuer dutifull.

Far.

Far. What should Tenants principally doe in such a businesse?

What Tenants should doe in the Lords Survey.

Sur. Nothing but that Law, Custome, and duetie requireth at their hands, to give their best aide to the Surveyor, to trauell with him about the Circuit, Butts, Bounds, and limits of the Mannor, to informe him of the same, and of every particular mans Land, and Rent, to shew him their copies, leases and deeds, to the end hee may enter & enroll them all together in a faire book, for the Lords vse, and for a perpetual record for themselves.

Far. For information, and knowing the particular grounds and bounds of the Mannor, in what is fit, but for their evidences, as their copies and leases, the Lord hath the Court rols of the one, and counterpanes of the other: and for freeholders deeds, their Land is their owne, and whether they may be compelled to shew them or not, I cannot tell.

Viewe of Evidences necessary.

Sur. These are frivolous doubts that some haue formerly made, but they haue beene answered to their cost, for the law hath compelled them to shew their evidence. For, admit the Lord of the Mannor haue the rols where in the copies are Recorded, may not Copies bee abused after their entries, or counterfaiued in some things preiudiciall to the Lord, as may also the lease, as hath beene found oftentimes, names and liues of men, parcels of lands, dates of yeares, and such like, rased, inserted, or altered? And is it not fit therefore that they be seene and entered together, that without search of so many Court rols the Lord may be satisfied, and the Tenants iustified, And what preiudiceth it the Tenant, to haue his evidences truly recorded, if he meane plainly, be it copy, lease, or free deede he may thinke it a confirmation of his estate, what casualty soeuer come to the same, he may be the better assured that such a record will witness with him:

Enterie of Deeds convenient for the Tenant.

him: whereas if none such appeare, his interest will be the more suspicious: and therefore such as are wise and discrete, will not onely consent to this good course, but be thankfull vnto the Surueyor as behoueth. If it be iust and right, that the Lord should know his owne, and who should manifest it, but the Tenant himselfe? and how should he doe it, but by his euidence? And most vniust it is in that Tenant, that by any wilfull or sinister meanes or couert practise, doth eyther detract his fellow Tenants from the seruice, or concealeth any thing that may further the same.

Far. This I cannot deny, although indeede some busie fellowes will dissuade, and breede a doubt herein, but I see it is to good purpose and for our better security, to doe all things requisite in this businesse, and that all the Tenants within the Mannor should conioyne in one, and euery one for himselfe, and all for one, and one for all, should seeke, examine and declare the uttermost truth of euery thing, towards the exact performance of this seruice, and that the Surueyor should know the quantities, qualities, and indifferent values of euery mans Tenement and Lands, their rents, seruices, custome, works, and whatsoever the Tenant is in law or conscience bound to yeld or performe to his Lord: and indeede thus much haue I heard giuen in charge at a Court of Suruey, with many other articles, which are now out of my mind: all which may be done by Tenants with a good conscience, both by relation in Courts, and in the perambulation: but the concealing of these cannot stand with an honest mind in mine opinion: for these things of themselves cannot preiudice the Tenants, but the misconceiuing, misentring by the Surueyor, may be extortionous, and the over-racking, vrging, and over-burdening the Tenants by the Lord, may be extortionous. These things may fall out by meanes of an vniust and unskillfull Surueyor, and a

F

coue

The Tenants ducit

what things are euill in a Suruey.

The principall causes of instituting Mannors.

couetous Land-Lord. And the feare of this maketh the Tenants to extenuate the values, and to smother the truth of things to their soules danger: therefore happy are those Tenants, that haue a gracious Lord, and an honest Surveyor: for then there cannot be but an equall and upright course held betwene them: then cannot the Tenants but be faithfull and louing to their Lords, and their Lords fauourable to them, so should the Tenants be defended by their Lords, and the Lords fortified by their Tenants, which were the two principall causes of the originall foundation of Mannors, as I haue heard.

Tenants are now in conceite more free, then in former times.

Auncient bondage.

Svr. You say rightly, and I am glad to heare you conceiue so well of this apparant necessity: for so may I say, that it is of necessity that the Lord should know the full and absolute estate of his Mannor, and of euery particular thereof: for howsoeuer of late dayes Tennants stand in higher conceites of their freedome then in former times, if they looke a litle backe into antiquity, they shall see that Tenants (for the most part) of euery Mannor in England, haue beene more seruaile vnto their Lords, and in greater bondage then now they are, whom the fauourable hand of time hath much infranchised, and it cannot be altogether euery where forgotten, because they may see as in a glasse, the picture of their seruitude in many ancient custome rols, and in the copies of their own ancestors, and many seruaile works haue beene due and done by them, and in many places yet are, though the most are now turned into money: but neither their infranchisements, nor the conuersion of works into rents doe so farre free them, but that they still owe seruices vnto their Lords, in respect of their Tenures, as wel free-holders as customary Tenants, as both in most of their copies and deedes

deeds is expressed by these words, *Pro redditu & seruicijs inde prius debitis & de iure consuet.* Which proueth their Tenures in a sort to be conditionall: which condition if it be wilfully broken by the obstinate carriage of any such Tenant, he indangereth his estate.

Euery inferior estate is conditionall.

Far. It were hard, if for not doing some small seruice vnto his Lord, a man should forfeit his living.

Sur. And it were very foolishnesse in a Tenant, for wilfull refusall thereof, to indanger the same: for if the Lord be in lawe tyed to maintaine the right of his Tenant, and to defend him against any other that shall pretend a false title vnto his land, the Tenant is againe bound to performe all such seruices, and to pay all such duties as of right he ought vnto his Lord. And it is expedient that the Lord should see these duties continued, and it hath bene and is daily obserued, that the neglect thereof extinguisheth the remembrance of them, and so the Lord looseth his inheritance: for euery seruice of the Tenant is parcell of the same, and the remisnesse of looking into these Tenures, hath brought it to passe, that infinite within this kingdome, that hold in fee, quilllets of land, and some Mannors, know not how or of whom they hold: so that hereby Lords of Mannors, of whome these quilllets were heretofore knowne to hold, haue lost their Tenures and seruices, and such as hold the land by vnknowne Tenures, are cast into the danger, to hold to their, and their posterities further hurt.

The Tenants seruice is parcell of the Lords inheritance.

Discontinuance of seruice hurtfull to the Lord.

Far. If Tenants will be wilfully obstinate, and refuse to doe and continue their uttermost seruices vnto their Lords, as bound by their Tenures, being (as you say) parcell of the Lords inheritance, they are worthy to be attached of disobedience, and to pay for their contempts: and if Lords will be so negligent, as they will not looke vnto their owne, they are

Service of
the Tenant

worthy to loose their right: and therefore I hold it discretion in the one to doe his duty, and providence in the other to continue what is due: and if by age or impotencie the Tenant be disabled in person to performe his service, to crave dispensation, or to doe it by another: and if the Lord be farre off and cannot be present, to substitute one to receive it for him. But Sir, in all your discourse, I have observed, you have pleaded (as it were) for the Lord, against the Tenants, exacting sundry duties from them to their Lords, but I have not heard you speake much against the Lords in favour of the Tenants, and yet I know there is a kind of reciprocal bond of duty each to the other, & may be broken of either side.

Lords and
Tenants
are bound
each to o-
ther.

SUR. It is very true, for as children are bound to their parents by the bond of obedience, so are the parents bound to the children by the bond of education: and as servants are bound to their Masters in the bond of true service, so are the Masters bound to their servants in the bond of reward. In like manner, Tenants being bound unto their Lords in the bond of duty, so are Lords bound unto their Tenants in the bond of love: and though I have said little at this time of the duty of Lords to their Tenants, the occasion hath not been offered at this time.

FAR. I trust you have said enough concerning the duty of Tenants, for they can but pay rent, and doe service, more cannot be exacted.

SUR. Yet rent and services are diuers and diuersly answered and done, which I could be content to shew you more at large, but that yonder comes a Gentleman that will interrupt vs: know you what he is?

FAR. I will tell you by and by as he comes nêre. Oh Sir, it is my Land Lord, a man of great possessions, Lord of many Mannors, and owner of diuers Farmes, who hath bene inquisitiue for a man of your profession, but to tell you truly, I altogether dissuaded him before this time: but
no

now hauing heard your reasons, I will sollicite him for your
imployment, and I would wish you might undertake first
the Panno; wherein I dwell.

Sir. At his disposition and pleasure be it: and so for
this time I leaue you.

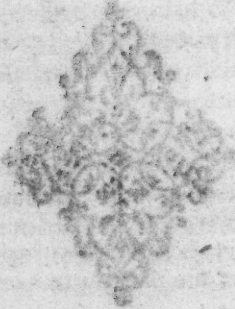
The end of the first Booke.



may be made at the same time, and the same
And should you wish to make the same
the same time, and the same

the same time, and the same

the same time, and the same





THE SURVEYORS DIALOGVE, BETWEENE

The Lord of a Mannor, and a Surueyor;

wherein is intreated of the state of a Mannor,

of the parts and profits therunto belonging:

and how the Lord of a Mannor ought

to deale with his Te-
nants.

THE SECOND BOOKE.

Lord.

Friend, of late I met with a Tenant
of mine, who told me you are a Sur-
ueyor of Land.

SUR. I haue bene, and am some-
times employed in that kinde of
seruice.

LORD. I haue at this time some oc-
casion to vse the aide of one of your
Facultie: and I haue heard by my Tenant, that your skill
and diligence may satisfie my desire therein.

SUR. I shall doe mine endeavour wherein you please
to command me.

LORD. There be many, I know, that beare the name of
Surueyors, but when they are put to it, they come farre short
of some principall points required in the absolute perfor-
mance

All that pro-
fesse it, are
not Sur-
ueyors,

Ignorance
in Suruey-
ors dan-
gerous.

Some not
hauing the
name of
Surueyors,
may haue
the skill.

mance of the worke, and either leaue it halfe done, or so shutt
it vp, as the Lord is abused, and the Tenants wronged,
by the blind and vncertaine returnes of the Surueyors tra-
uailes: for a Lord of a Mannor knoweth not, but by such
as he vseth therein, the estate of things, and how the parti-
culars stand betwixt the Lord and his Tenants. If the
Lord of the Mannor haue neuer to god a mind to deale well
with his Tenants, & the Tenants bee neuer so inclinable to
doe true duetie to their Lord, they may be both misled by an
vnskillfull Surueyor, to the vniust condemnation or suspiti-
on of both. And therefore I thinke it behooueth men of
worth, that haue vse of such as you are, to be well assured
of the skill and abilitie which you pretend to haue in your
Profession; and because I haue no further experience of you
then the bare report of my Tenant, I must intreate you to
discourse vnto me a litle of your knowledg of such par-
ticulars, as are to be considered in the absolute Suruey of
a Mannor.

Sur. Sir, you seeme to oppose me farre, and the
thing you demaund, will require a longer time, and a
larger Discourse, then either my leisure, or peraduen-
ture my present memorie of euery particular will readi-
ly permit. And it may bee, that you that pretend little
knowledge in the Arte, may apprehend both the trueneth
of the thing, and an error committed in the perfor-
mance, as well as hee that assumeth the Title of a Sur-
ueyor, although neither your leisure nor your qualitie
may in reason permit you the trauaile in it: For I know
many Gentlemen of good worth, that haue the Specu-
latiue parts of the whole, and the practicke of the dee-
pest, and yet they will not bee seene to treade that path
that a Surueyor is forced to doe, in the whole businesse.
You haue the matter and subiect whereon a Surueyor
worketh, and without which a Surueyor looseth both
Arte and Name, and therefore you cannot bee alto-
gether

ther ignorant of the things required in the businesse, as the Master of a feast cannot dresse the dainties, but the Cooke, yet can the Master reprove the Cooke if hee doe not his duty therein.

Lord. Thou saist true in thy comparison: but for my part although indeede I haue Land, and I know how many Mannors I haue, their names, and where they lye, and the most of my Tenants, and their rents, and if you should erre in these, it may be I might be able to reprove you, yet for matters of further search, I assume not to be skilfull, for then I needed not your seruice, as of quantities, qualities, values, validities of estates, Tenures, customes, and other things incident to a Mannor, which are not in all Mannors alike, the true discoverie whereof belongeth to the Surueyors of fice, yet none but such as are truly skilfull, can sufficiently discharge the duty herein required: and therefore by your leave, you shall briefly (I will not be tedious) relate vnto me what you can say of the definition of a Mannor, whereof it consisteth, how, when, and by whome it was erected with other such things as shall be expedient for the Lord of a Mannor to know, the particulars whereof I will leaue to your relation, and first tell me what a Mannor is.

Sur. Sith you will needes diue into my poore skill, by your opposall, and sith indeede I doe in some measure professe the art, wherein I thinke no man is or hath bene so exquisite, but he might erre in some poynt or part much or little, as in other arts, yet to answere your demands, I will as briefly as I can satisfie your desire.

And first, where you demaund what a Mannor is, *A Mannor in substance is of Lands, Wood, Meddow, Pasture, and Arable: It is compounded of demesnesse and seruices of long continuance. As touching the beginning of a Mannor, and the institution thereof, the beginning of Mannors was, when the King gaue lands vnto his followers,*

A man may erre in whatsoeuer Arte.

What a Mannor is. Perk. fo. 127.

The beginning of Mannors.

in such quantity, as did exceede the proportion of a mans manurance and occupation, as a thousand, two thousand Acres more or lesse: which quantity of Land being at that time as it were in a lump or *Chaos*, without any distinction of parts, or qualities of Land, he to whom such land was giuen to hold to him and his heyres for euer, enfeofed some others in parts thereof, as one in ten, another in twenty, and some in more, some in lesse Acres, and in consideration of such feoffments, euery of these were to doe the feoffer some kind of seruice, as hee and they agreed vpon, reseruing such a part vnto himselfe, as he might conueniently occupy in his own hands, and by this meanes the Land thus giuen by the King, and thus proportioned out to others by the *Donce*, became to be called a Mannor. And he that was thus inuested in this Land by the King, was in respect of such as he infeoffed, called the Lord, and such as were infeoffed, were called Tenants: Lord, in respect of gouernment and command: and Tenants, in respect of their Teidures, and manner of holding vnder the Lord whom they were to obey.

Lords and
Tenants
why so cal-
led.

Lord. But when or about what time was this erection of Mannors?

When Ma-
nors began

Sur. As I take it, and as it seemeth, in the time of the Normans: for among the Saxons was no such name as the name Mannor, yet the thing even in substance was then, for they had *Demeisnesse*, and seruices in substance, but the *Demeisnesse* they called *Inlands*, and the seruices *Vilands*, so that it differeth onely in name, but in substance little or nothing at all.

Inlands.
Vilands.

Lord. Wherof is it called a Mannor?

Sur. There is some difference of opinions whence the

the

the word Mannor should be deriued: it is in Latine called *Mauerium*, yet a word not vsed among the Romans or auncient Latines, and therefore to find the *etimon* by it, can not be: for the word is vsed among our Lawyers, as many other made words are, which haue been termes raised by our Lawes, and are not else where in vse; and therefore the neereſt way to find the ſignification of the word, is by the quality of the thing: ſo that ſome hold it ſhould proceed of the Latine verbe, *Manere*, which ſignifieth to abide, or remaine in a place, as the Lord and his Tenants did in this, whereof the head houſe, or the Lords ſeat was called *Berrye*, which ſignifieth in the Saxon tongue, a dwelling place, which continueth yet ſtill in Hartfordſhire, and in diuers other places; and is alſo taken ſometimes *pro caſtro*, which was alſo the ſeate of the Lord of ſome Mannors. Mannor houſes were alſo, and yet are called in ſome places, Hals, as in Eſſex, and Northward: Courts and Court-houſes Weſtward, as in Summerſet, Deuon, &c. as alſo Mannor places: all which are places of the Lords owne abode, and therefore it may not vnſitly be ſaid, to take name of abiding or dwelling. Some thinke, and not improperly, that it taketh name of the French word *Maneuurer*, which ſignifieth to till and manure the ground. And of the two, I take this latter to bee the moſt proper deriuation of the word Mannor: for thereof are many chiefe houſes of tillage called *predia* Graunges. It may alſo take name of *Mainer*, to gouerne and guide, becauſe the Lord of the Mannor had the managing and direction of all his Tenants within the limits of his iuriſdiction. Of theſe deriuations *qualem manus accipe*: neceſſity tyes to neither.

Lord. Theſe ſignifications of the word may ſtand all

Whence a
Mannor taketh
name.

Berrye, quid.

Halles.
Courts.

Predia

with sense, and much materiall it is not to hence the word arise, but the likeliest is indeede that which most agreeth with the property of the thing. But I haue within my Mannors sundry messuages: whence is the name deriued?

Messuage,
whence it
taketh
Name,

Sir. Of *Mesius*, or *mesuager*, which is as much to say, as *familium administrare*, to gouerne a household: for euery of the Tenants had his family, and of diuers of them and of the Lords family did a Mannor consist.

Lord. When no doubt, if a man haue a thousand Acres of Land more or lesse, to him and his heires, which lyeth in one intyre parrs not yet deuided, may be deuided into parts, as a portion for the Lord himselfe, and some parcels to erect such messuages for Tenants to doe him seruice, as he may make a Mannor: where none was before.

A Mannor
may not be
made at
this day.

Sir. No Sir, for although a man haue a competent quantity of Land in his manurance, and would conuert it to the end you speake of; were it neuer so great, and could establish many messuages, and could erect whatsoever seruices, this would not become a Mannor, because all these must haue long continuance, which cannot at this day be confirmed by any priuate man, but by the King onely: but he may haue thereby a kind of *seignory*, a Lordship or gouernment in grosse ouer his Tenants by contract or couenant, but no Mannor. No man at this day can create a seruice or a tenure, or by any means rayse or erect a Mannor: for there must be very Lord and very Tenant in fee simple, and that of auncient commencement and continuance, or else it can inure no Mannor. For a man may haue demesnesse to occupy, and Tenants to doe him seruices, and that of continuance, and yet no Mannor. As if a man that had land, did giue part of this land in former time to some others in taylor to doe him seruices, heere are demesnesse in the donor

donor and seruices in the donces, and a Tenure: yet becauserhere be not very Tenants in fee-simple, it maketh noMannor.

Lord. Whether are al lands holden of a Mannor, parcell of the same Mannor?

Sir. No, Lands may be holden of a Mannor by certaine seruices, the seruice may be parcell of the Mannor, and yet the Lands not.

Lord. But may not this Land be made parcell of the Mannor at this day?

Sir. By no other meanes but by *eschear*, for if the land fall vnto the Lord by *eschear*, then it comes parcel of the Mannor: for then is the seruice extinguished, and the Land commeth in place of it.

Lord. May not a man purchase Land that lyeth nere his Mannor, and annere the same, and make it parcell of the Mannor, though it held not of the Mannor before?

Sir. Forraine Land newly purchased, though it lye within the precinct and bounds of the Mannor, cannot be annexed, though the Tenant thereof be willing to doe his seruices there: for this is in nature of a new creation of a Tenure, which at this day the lawe will not admit, onely the King by his prerogative may.

Lord. What if it were tyed vnto the Lord of a Mannor for the payment of an annuity, is not the annuity then parcell of the Mannor? And if that Land be purchased by the Lord, and thereby extinguish the annuity, doth not that land come in place of the annuity, and so become parcell of the Mannor, as the Land you spake of before, which by the *eschear* ran in place of the seruice.

Sir. The case is not alike: for the annuity was not parcell of the Mannor, neither can it be by such meanes as you propound by the way of Mortgage. But in another sort it may: as if a Mannor be to be deuided into

22. Ed. 4. 44.

22. L. i. Aff. 53

sundry parts, and because the parts fall out vnequall in value, there must a rent or annuity be apportioned to make vp the value, which rent becomes parcell of the Mannor.

Lord. If the Mannor be diuided, as you say, and a Rent allotted to one part, how can the Rent bee parcell of the Mannor, so; as much as in my vnderstanding, the Mannor becommeth by this partition, to be no Mannor: For if there can be no addition to a Mannor, there can be no diuision of a Mannor, and yet the Mannor to continue still a Mannor.

Svr. Yes Sir, of one Manner may be made diuers at this day.

Lord. How I pray you?

26. H. 3. 4.

Svr. If a Mannor descend to diuers partners, and they make partition, and euery one hath Demeisnesse and seruices, euery one hath a Mannor, and euery one may keepe a Court Baron.

Lord. What if a man make a Feoffment vpon condition of parcell of his Mannor, or doe graunt a Lease to another so; life of part, or doe Intaile part, are not these parts still parcels of the Mannor?

Svr. If parcels of a Mannor bee once thus seuered, they immediatly become no parcels thereof: Yet may they all reuert and become parcels of the Mannor againe, as if the condition of the Feoffment bee broken, if the Tenant for life die, or the limitation of the Intaile discontinue for want of heires.

Lord. When a man may say, that though such Land bee not, yet the reuerfions are parcels of the Mannor.

Svr. So it is intended.

Lord. Well, you haue reasonably well satisfied me in these points, yet would I gladly haue some further satisfaction of some other matters, touching the state and profits of a Mannor.

Svr.

Sur. I would bee willing to doe my best to content you, but you partly hinder me of other businesse. What else would you know? I wish breuitie.

Lord. It shall be so, neither shall you lose your labour: for I meane to vse you, if my future satisfaction be answerable to this former, may euery Mannor keepe a Court Baron:

Sur. Euery Mannor in the beginning, no doubt, might keepe a Court Baron, and so it may at this day, vnlesse the Mannor be so dismembred, as it wanteth that which may warrant the keeping thereof: For if all the Freeholders of a Mannor doe Escheat, or all but one, the Mannor is then disabled to keepe a Court Baron, for the Court cannot be kept without iurers, which are the Freeholders.

Lord. When me thinks, the Mannor loseth the name of a Mannor: for if it lose the quality, it is not the thing: no more then a Logge that had fire, can be said a fire-Logge, when the fire is extinct.

Sur. It is true, it becomes no Mannor, but a *Seignory*, hauing no power to keepe a Court Baron.

Lord. An ignorant Surueyor, I see, may be easily deceived, in terming that which is no Mannor, a Mannor, and that no Mannor, which indeede is a Mannor. But satisfie me in this one thing. A man hauing two Mannors lying together, and the one of them is decayd, and hath lost his power to keepe a Court Baron, and the Lord is willing to haue the Tenants of both these Mannors to doe their suites and seruices to one Court, namely, to that which standeth yet in force, and that me thinks were good for the Tenants to ease them, and it would preserve the Lords right without prejudice to any: for then one homage would serue both, and both serue as one, one Waylife, and other officers, as if it were an intyre Mannor.

Sur. Yet this cannot be, for this vnion of the Mannors

Euery Mannor may keepe a Court Baron.

35.H.8.

A Mannor may loose the proper-
tie, and so
the Name.

Fitze. 3.6.
A Seignory

How two
distinct
Mannors
may be
made one.

nors cannot extinguish their severall distinctions, for they will be still two in nature, howsoever the Lord co-act to make them one in name, and the more powerfull Mannor hath no warrant to call the Tenants of the decayed *Seignory*, but every act done in one to punish an offender, in the other is trauerfable, and therefore it is but lost labour to practise any such vnion: if it be considered by such as are forced to seruice in this kind, they may refuse it: yet if they will voluntarily submit themselves to such a nouation, and the same be continued without contradiction, time may make this vnion perfect, and of two distinct Mannors in nature, make one in name and vse, and I doe not thinke but such there are.

Lord. When is there, as it seemeth, no meane to annere two Mannors in one, howsoever necessary it were both for the Lord and Tenants.

Sur. Yes Sir, two Mannors may become as one, if one Mannor doe hold of another, and it escheat to the Lord, the escheated Mannor may be annexed, & vnited, and of two distinct Mannors become one, if the Lord will, in vse.

Lord. I am answered in this poynt, and it standeth with more reason indeede then the former: now I pray you tell me what things doe properly belong to a Mannor.

Sur. There doe belong to a Mannor, Lands, Tenements, rents, and seruices, as I shewed you before in part, which are a parcel in *demeisnesse*, & parcel in seruice.

Lord. But speake, I pray you, something more at large of euery of these, and first tell me what *demeisnesse* are.

Sur. *Demeisnesse* are al such Lands, as haue beene time out of the memory of man, vsed and occupied in the Lords owne hands and manurance, as the Site of the Mannor house, Meddowes, Pastures, Woods, and arable land,

land, that were reserved for the maintainance of the Lords house from the beginning.

Lord. This then is that you call parcell in demesne: what is that you call parcell in service?

Parcell in service.

Sir. All those lands, tenements, and hereditaments which yeeld rents of assize, as rents of freehold, copyhold, or customary land: all which are parcell of the Mannor, yet no demesnesse.

Lord. But is not all customary land Copyhold land: why then make you a distinction betwene copy and customary.

Copie and Customary Land and their difference.

Sir. All copyhold land is commonly customary, but all customary is not copyhold: for in some places of this Realme, Tenants haue no copies at all of their lands or tenements, or any thing to shew for that they hold, but there is an entry made in the Court booke, and that is their euidence, and this especially of the auncient Duchy land of Cornewall, and other places.

Lord. These Tenants then may be called Tenants by Court roll, according to the custome of the Mannor, but not Tenants by copy of Court roll.

Sir. It is true, but they are held onely a kind of conuentionary Tenants, whome the custome of the Mannor doth onely call to doe their seruices at the Court, as other customary Tenants doe.

Conuentionarie Tenants.

Lord. The word *conuenire*, wherof they be called conuentionary, doth, as I conceiue, import as much as to call together, or conuent: but what say you to the rents of Assize: what meane you by Assize?

Sir. Truly, for my part I take it to signifie, set in certainty: for these kind of rents are as in the beginning neither risen nor fallen, but doe continue alwaies one and the same, and onely they and none else can be properly called rents of Assize.

Rents of Assize, why so called.

Three
kinds of
Rents.

Lord. I thinke you take it rightly: and are all rents of one kind?

S^{ur}. No: there are properly three kinds, as rent seruice, rent seck, and rent charge.

Lord. These termes are strange to me, though I be Lord of many Mannors, and no doubt, I retein rents of euery of these kinds, but how to distinguish them, I cannot tell. And whether I haue bene abused by mine officers or no, I know not: for they neuer told me of these many kinds of rents, and therefore let me intreat you, for my satisfaction, a little to explaine their seuerall natures?

How euery
kind of rent
is to bee
paide.

S^{ur}. These seuerall rents are paid vpon seuerall considerations, and haue seuerall grounds and commencesments, and are diuersly to be leuied and recovered if they bee denied. That which is called Rent seruice, is so called because it is knit to the tenure, and is as it were a seruice, whereby a man holdeth his Lands, or Tenements. As, where the Tenant holdeth his lands, by fealty and certaine rent, or by homage, fealty, and certaine rent, or by any other seruice and certaine rent, the rent is called rent seruice: for, as the seruice followeth a Tenure, so the rent followeth the seruice. And if this rent be behind, the Lord of Common right may enter and distraine for it. The rent charge is so called, because when a man graunteth any land, whether it be in fee-simple, fee taile, for life, for yeares, or at wil, and in his deed reserue a rent, with clause of distresse for non payment, by vertue of this clause, the land is charged with payment of the rent, by expresse words, and by force of it the Lord may distraine for his rent behind.

Rent charge
most com-
mon at this
day.

Lord. This kind of rent is at this day, I thinke, most common: for few will graunt Land, but they will make such prouision, that the land shall stand charged with the rent.

S^{ur}. It is true, for at this day, there can be no rent seruice

uice rayfed, because it cannot be without a tenure, which cannot be at this day created.

Lord. What is that you call Kent seek?

Sur. It is a bare rent referued vpon a graunt, wherein there is no mention made of charging the land by distress, and it signifieth *redditum siccum*, a dry rent, for the recovery whereof the land is not charged.

Rent Secke

Lord. Few such rents are now adayes, for a man had neede to make all the prouision he can to secure his rent, and yet he may be drinen to try his uttermost meanes to recover it. But you haue satisfied me also touching these rents: now let me intreat you to shew something of other things incident vnto a Mannor, by which the Lord receiveth profite or prerogative.

Sur. Profites may rise by infinite meanes and wayes out of a Mannor to the Lord, but all Mannors yeeld not profite or commodities alike neither in nature, or value.

Profits of Mannors are infinite, and in all Mannors different.

Lord. I thinke indeede all Mannors are not alike profitable to the Lord, neither hath every Mannor like meanes, yet I desire to know for my experience sake, what may grow out of a Mannor, that I may the better looke into the natures and qualities of such as are vnder my power and commaund.

Sur. If you haue a Mannor or Mannors, there is (as I said before) a Court Baron at the least incident thereunto and to some a Leete, or Law-day, which is called the view of franck pledge, by which Courts doe grow many, and diuers perquisites and casualties, as fines of Land, Amercement, heriots, reliefes, waines, estraycs, forfeitures, escheats, profite growing by pleas in Court, and such like.

Profits of Court.

Lord. You may doe well to shew me, though briefly, what euery of these former things doe properly import, for to tell me the names, and not the natures of the things, is, as if I should know there is a Sun, but whether he giue light and heate, to be ignorant. Therefore befoze you passe further in

any

any discourse, shew me how fines of Land doe arise vnto the Lord, and what amerceaments are, and the rest.

Fines of
Land.

SUR. Fines of Land are of sundry kinds, and yet properly and most especially they arise of Copyhold, or Customarie Lands and Tenements, which are in diuers Mannors of diuers kinds: For there are Customarie Lands, which are called Copyhold of Inheritance, and they are such as a man holdeth to him and his Heires, according to the custome of the Mannor, at the will of the Lord. When such a Tennant dieth, and the Heire commeth to be admitted (if the custome of the Mannor beare a Fine certaine) hee giueth but the accustomed Fine: If it be vncertaine and arbitrable, hee agreeth and compoundeth with the Lord, or Surueyor, or Steward, for the Fine. Some hold Customarie Land for liues, as for one, two, or three liues, whereof the Fine is alwayes at the Lords will, as is also the Fine for yeeres. There are also Fines for licences of Surrenders of Customarie Land, and for Alienation also of free-hold Land, and these are called Fines, which signifieth as much as a finall composition: And when the Fine which is the end of the contract is answered, all but the yeerely Rent during the terme agreed vpon is paid. These and such like summes of money raised at a Court Baron, are parcell of the *Perquisites* of the Court, as are all *Amerceaments*, which are summes of money imposed vpon the Tenants by the Steward, Surueyor by Oath and presentment of the Homage, for default of doing sute, or for other misdemeanors punishable by the same Court, infinite in number and qualitie.

Fines why so
called.

Lord. Whence taketh the word Amercement name?

Amerce-
ments.

SUR. Of being in the Lords mercie, to bee punished more or lesse, crumenally at the Lords pleasure and will.

It

It is no doubt, a borrowed word, as many other words vsed in our Common lawes are: For hee that is Amerced, is said to bee *in Misericordia*, that is, in the mercie of some body.

Lord. These words may bee understood by vse, and by the maner of the vse of things: But he that should seeke the Etymon, among the Latines, of the Substantiue *Amerciamentum*, and the Adiectiue *Amerciatus*, might seeke long, and be neuer the wiser. But I perceiue, we must take it as our Fathers first framed it and left it, I vnderstand what it meaneth in our common sense, and that sufficeth.

Sur. Other words, not a few, in like sort to be vnderstood, we find in vse amongst vs, which doubtlesse the Romanes neuer knew: And yet they that haue to doe with the things wherein they are vsed, vnderstand the meaning, although their deriuations bee strange, as amongst others it is questionable, whence the name of a *Heriot* may be deriued.

Lord. What would I be glad to learne: For I haue to doe sometimes with *Heriots*. But because I know not why they are so called, what they bee, how, where, when, by whom, and for what they should be answered, I doe feare I am sometimes abused.

Heriots.

Sur. I may tell you as I haue heard, and of my selfe coniectured, whence the word commeth. But I haue no certaine Authoritie for it. It may be said, and most likely it is, that it should come of the word *Herus*, a Lord and Master: and *Heriotus* belonging to the Lord. And it was in the beginning a thing for the Warres, as the best Horse a man that died had at the time of his death. And the Saxon word *Newges* had the same signification that the word *Heriotus* hath, and importeth a thing pertaining to the Warres, which was a Horse trapped, or a Speare, or Armour, or a Sword, or some such Mi-

Heriots
whence so
called.

Of a man
slaine in
the Warres
in companie
of his
Lord, left
his Horse
and Armor
for Heriot.
19.H.7.c.15

litarie weapon, which was parcell of the Tenants seruice due to his Lord; and if such a Tenant had beene slaine in the Warres in the companie of the Lord, hee had paide no Heriot. *Si quis in exercitu, sine in regno, sine extra, pugnans coram Domino, mortem oppeterit, ei condonatur & remittitur Heriotus.* Whereby it seemeth, that his seruice in the Warres belonged vnto the Lord, and Death being the vttermoſt end of his seruice, hee had done as much as his seruice bound him to performe; and after his death, his horse and furniture came in place of the seruice due vnto the Lord, and thereof called a *Heriot*, being due vnto the Lord *De Iure* after his death, and the remission was of any further *Heriot* of his goods, then that which hee left behinde him at his death in the Field, which of right the Lord might seize, as it seemeth by these words, *Si quis in Curia, sine morte repentina fuerit intestatus mortuus, Dominus tamen nullam rerum suarum partem, prater eam qua iure debetur, Herioti nomine, sibi assumitur.* So that it appeareth, that at the death of euery Tenant, there was due vnto the Lord of the Manor of right this *Heriotus*, a thing appertaining to the Lord.

Lord. It seemeth by the quality of the thing thus due vnto the Lord, that indeede the name comes as you say of herus as proper or belonging to the Lord; but howsoeuer, the things continue due and answerable to the Lord at this day: I thinke, Tenants are not bound to like attendance on their Lords as in times past, and therefore whether are not these heriots something altered in their kind, or do they continue as in the beginning?

Sur. Tenants are not freed of their seruice, nor *heriots* altered, but they are by their Tenures bound as at the beginning, to attend their Lords in the warres, but that the

the manner of the proceeding to set forth and to presse men to the warres, is not alike, and therefore the continuance of the forme of the generall performance of this kind of military seruice, hath bred a kind of confusion of these petty and inferiour seruices betweene Lords and Tenants, yet not taken away the right of their seruice. Before the Conquest, *heriots* were paid according to euery mans ability, and so are they now, as the best horse, Oxe, Cow, or such like, sometimes in money, and sometimes the best implement of the house of him that dyed.

Lord: A *heriot* is neuer paid, but after the death of a Tenant.

Sur. Yes, in some places, if the Tenant surrender, or will voluntarily depart from his customary Tenement or lands, he shall pay to the Lord his best quicke good, in the name of a *heriot*, and in some places a peece of money, in the name of a farewell.

Lord. It falleth out in a Pannoz of mine, that diuers customary Tenements *heriotable*, are dismembred, and such Tenements as in former times could yeld vnto the Lord a good Horse, Oxe, or Cow, cannot now yeld any quicke good at all, because the Lands are sold from the Tenement, and I lose my right: what remedy haue I?

Sur. You must take such a *heriot*, as the Tenant deceased hath at his death.

Lord. But the Land which belongeth sometimes vnto the Tenement wherof he died seized, is seuered so, as there is no intire parcell in any other mans Tenure, aboue one or two acres: is there nothing due for that at the death of the chiefe Tenant?

Sur. No surely: for the Lands being lawfully surrendered, wherof the Lord cannot but alwaies take knowledge, (for it cannot be done without his consent,) he cannot pretend to haue wrong therein: yet this benefite remaineth

Tenants are bound to attend their Lords, by force of their seruice, to this day.

In what things Heriots are paid.

A farewell paid in money.

A final par-
cell of heri-
otable land
draweth a
Heriot.

Whence a
Heriot may
be seized.

27. Li. Aff. 24

Lawyer A

A composi-
tion to raise
a new Cu-
stome, can-
not stand.

Many heri-
ots after the
death of
one.

maineth to you that are the present Lord: You may take the advantage of any quick, or dead goods, which any of the Tenants haue at their deaths, that hold any of the parcell of the Land larely belonging to this heriotable *meest place*. And if a Tenant haue but halfe an acre there- of, and haue elsewhere more land, within, or without the Mannor wherevpon hee keepeth, any kind of Cattell of whatsoeuer value, the best is yours, wherefoeuer you can lawfully seize it after his death, yea, although it bee vpon his free-hold, as some say.

Lord. I like that well: yet I promise you, it is more then I thought I might haue done, and I haue lost much by mine ignorance. But may I not compound with all such Tenants as haue these parcels, to giue for euery acre so much money, *nomine herioti*: and may not that agreement bind them and their heires for euer, being recorded in the Court roll?

Sur. No Sir: you cannot make any new custome, although all the Tennants consent willingly thereunto: yet if such a composition were made and continued, without any contradiction of posterities, time might create a new custome, by prescription, and be good.

Lord. What if a Tenant haue seuerall heriotable Tenements, and dye: whether shall he pay one or more heriots?

Sur. He shall pay as many as he hath Tenements heriotable.

Lord. But there comes a thing into my mind: I pray thee, if thou canst, resolve me. Whether is the heriot paid in respect of him that is dead, or in respect of him that is to possess the land after him?

Sur. In respect of him that is dead, plainly: for it is not said, It shall be the best good of him that shall inherit, but of him that dyed, and whatsoeuer Legacies he gaue by his Testament, the Lord will haue his due, howsoeuer they be answered, and may seize it, though it bee sold.

Lord

Lord. It standeth indeede by reason. But is there but one sort of heriotse

Sur. There are two sorts, the one called *heriot custome*, the other *heriot service*. It is held of some, that Tenants in fee-simple only pay *heriot service*, and not a Tenant for life, and this kind of heriot is commonly expressed in the graunt, or deede, and the Land is charged with the payment, and therefore the Lord may distraine, or may seize it, and if the Tenant bring his action for the taking, the Lord may auow as for other seruices. *heriot custome* is of another nature, for it is held to be *de gratis*, a meere beneuolence, giuen to the Lord by his Tenant, at the time of his death: and now hath custome confirmed it as a debt due, recouerable by force of iustice. Some say, it was first giuen by Villaines and Bondmen.

Lord. That needeth not: for if the Villaine and all that he had, were the Lords of common right, as I haue heard it was, what needeth the Lord to take a beneuolence, when he might haue taken all at his pleasure?

Sur. You say truly, yet it might be giuen as a continuall future gratification, vpon their infranchisements and manumission, to be yeelded at the death of euery such Tenant. Diuers customes of diuers places make diuers kinds of yeelding *heriots*.

Lord. I know that well: for custome, as is said, is above the law. Nowe I pray you, say something touching Reliefe: for I take, that was the next branch of your diuision of the profits: rising of a Mannor: but first, whence cometh the word?

Sur. Reliefe in French, is as much as *releuatio* in Latine, which is deriued of *releuo* the verbe, which is, to raise and ser vp againe, and therefore *Ad. Bracton* saith, *Relenatur hereditas, que fuit lacens per mortem antecessoris*. Whereby it appeareth, that the heyre payeth this reliefe, as a consideration and recompence vnto the Lord, to be rai-

Two sorts
of Heriots.

Heriot Cu-
stome.

Bracton,

Diuers pla-
ces haue
different
Customes.

Reliefe.

The Heire
payeth re-
liefe.

sed vnto the possessions of his deceased auncestor: for this is al the benefite that the Lord hath after the death of his former Tenant, hauing neither the custody of the land, or body of the heyre, as in some caes the Lord hath of both.

The difference
betweene a
Heriot and
reliefe.

Lord. The difference then, as I gather, betwene an heriot and reliefe, is, that the heriot is paid in the name of the Tenant deceased, and the reliefe in respect of the heire that is to become Tenant after the death of his auncestor to his possessions: but whether of these is the most auncient?

Sur. Surely the heriot: for that was giuen in the Saxons time, as is prooued before, and that especially of things pertaining to warre, but the reliefe came since by the Normans. And where these matters of warre are continued and paid in kind, it is vnder the name of heriot, but where the Normans made composition, and tooke money for all, it is called reliefe: so that it seemeth, that both these in the beginning were one, but now become two distinct things, both in name and nature.

Heriot and
reliefe sup-
posed some-
times one.

Lord. You haue before told me how the heriot is: now tell me how the reliefe is paid.

Sur. The Reliefe is payd after the death, change, or alienation of euery freeholder, or of a Tenant in auncient *demeisne*. And the reliefe in some places is the whole yeeres rent, and in some places halfe a yeeres rent, as the custome of the place permitteth: and if the Reliefe be not payde, the Lord may distraine of common right. And if a freeholder hold of the Lord by Knights seruiçe, and dye, his heyre of full age, the Lord shall haue of the heire, for euery Knights fee, a hundred shillings for reliefe, and if the land be more or lesse, the reliefe is to be apporcioned according to that rate.

39.H.7.C.15
How a re-
liefe is paid

Lord. What quantity of Land is a Knights fee?

Sur.

Sur. There is some difference of the quantity of a Knights fee, as the custome of the places doe differ in measure of land. for in the Duchy of Lancaster, a Knights fee containeth foure hides of land, every hide foure plough lands, called in latine, *Carrucata terra*, and that is, *quantum aratrum arare potest in nouali tempore*: and that is (as I take it) which is in the North parts called an Oxe gange. And every plough land or carue, is foure yard land, which in latine is called *quatrona terra* every yard land thirty acres. So that every *Carue* or *plough land* containeth a hundredth and twenty acres: every hyde of land 480. acres, and every Knights fee 1920. acres. But after some computation, a Knights fee containeth five hydes of land, every hyde foure yard land, every yard land twenty foure acres, after the common account.

The quantity of land of a Knights Fee.

Hida terra.
Carrucata terra.

Quatrona, sine virgata terra.

Lord. There is then great difference betwene a Knights fee of the Duchy of Lancaster, and the common account of England, as it appeareth. But seeing wee haue gone so farre how many Knights fees make a Barony?

Sur. Two Knights fees make one *Cantred*, which after the first computation, amounteth to 3840. acres. Six *Cantreds* $\frac{1}{2}$ maketh a Barony. 25600. acres, whose reliefe is 100. Marks. One Barony $\frac{1}{2}$ make an Earldome 38400. acres whose reliefe is 100. pound.

The quantity of land of a Barony
Mag. Cart. Cap. 3.
An Earldome.

Lord. Doe these proportions of Land alwayes hold, with their titles of honour?

Sur. Surely no: for we may obserue, they are increased, and diminished, as men are in disposition to spend, or saue, to add to, or to diminish their patrimonies. But these were the proportions at the first institution of these particular allotments, and the denominations doe hold, though the quantities of the land be more or lesse: the lesser parts wee see, as yard-lands, plow-lands, &c. differ

fer, as the custome of euery Country drawne by time, doth at this day hold and allow them: but that is no prejudice to the first purpose, which allotted a certaynty to euery part, and a certaine reliefe to be paid, according to the first institution of euery part, and the payment followeth the title, not the quantity.

Lord. You haue said enough of reliefes: now speake of the rest: and as I remember, the next after reliefes was waynes, what are they?

Waynes, or
wayned
goods

Sur. Waynes, or wayned goods, are goods or chattels of what nature soeuer, stolne, and in the fugacie of the thiefe, he leaues them behind him for want of conuenient carriage, or conueyance, being pursued: and wheresoeuer such goods are, they are the Lords of that Mannor or liberty wherein they are found, if the prerogatiue of the Mannor will beare it: for euery Mannor will not carry them, but such as haue it by graunt from the King.

Lord. Whence cometh the word Waifer?

Waife, or
whence
deriue
-sine

Sur. The goods thus stolne and left behind the thiefe, are called in Latine *Bona*, or *catalla uaniosa*: a word, which our common lawyers onely vse, and the signification is gathered by the vse: for I thinke, none that is a stranger to the termes of our common lawes, be he neuer so well scene in tongues, can say this word signifies the thing for which it is now taken.

Lord. Well then, as long as we understand the meaning, by the vse, it sufficeth, without further examination, or disputation about the word it selfe. But how is it to be pursued stolne goods: for it may be as well casually lost, as feloniously stolne.

How to
proue way-
ned goods.

Sur. Therefore when any such thing is found within a Manor, the Bayliffe, or other the Lords officer, seisseth it to the Lords vse, as a thing wherein at the instant no man claimeth property. And if it bee not euident by the pursue.

suite of the theefe, that it was stoln it is proclaimed & presented the next Court, and found by the Iury of what nature it is, and that the property is in the Lord: and because thele & *Estrays* are spoken of at large at every Court Baron by the Steward, no man can pretend ignorance of them, therefore I will omit to speake any more of them. But, a litle of *forfeitures*, though no doubt, you being lord of many Mannors, know right wel what they are, and how they grow, and the Tenants no doubt, could wish you and other Lords knew lesse then generally you doe, how and when they happen.

Forfeitures

Lord. Tush, if there were no penalties, men would commit offences without feare, and if there were no forfeitures for abuses done against Lords of Mannors, Tenants would too boldly make waistes and spoils of the Lords inheritance, without regard of law, lone, or humanity: and therefore let me heare your opinion what forfeitures are, and for what causes, Lords of carelesse Tenants may take advantage of forfeitures, who may omit and forgieue as they see cause.

Forfeitures
fit to curbe
offenders.

Sir. I know many Lords too forward in taking advantage of forfeitures vpon small occasions, and if manifest cause be giuen them, they shew little compassion: And if I knew you were a man desirous to take advantage in this kind, I would be sparing to discouer any thing tending to that liberty: for, I well conceiue, that the law did not so much prouide, to enrich the Lords of Mannors, by their Tenants forfeitures, as to keepe Tenants in good order, and to restrain them (with feare of loosing their Tenements) from rash and wilfull abuses. And therefore in all forfeitures, there are diuers circumstances to be considered; as whether the Tenant did it ignorantly, negligently, or as constrained through necessity. In these cases, whatsoeuer law in extreame iustice

The chiefe
end of For-
feitures.

alloweth, a good conscience forbiddeth to take aduantage, though the second bee worthy to suffer some smart: for negligence cannot be excused: for nature it selfe teacheth beasts, and they in their manner of liuing, vse a kind of prouidence. But if the forfeiture be committed wilfully or maliciously, it deserueth in the first, little, and in the second lesse pittie. Yet where a good mind is, there lodgeth no reuenge, or couetous desire. And where neither of these are, there all extremities die. Yet I wish, that in these last two cases, the offenders should be punished more *in terrorem*, for examples sake, then to satisfie the greedy desire of a couetous Land-Lord, who (though he may say, he doth no more then the law warranteth) doth yet straine a poynt of Christian charity, by which men are bound to measure all mens cases by a true consideration of their owne. So shall he that is Lord of much, and of many Mannors, looking into the law of the great Lord, of whom he hath receiued, and holdeth whatsoever he hath, find, that himselfe hath committed a forfeiture of all, if his high Lord should take aduantage of all the trespasses and wrongs hee hath done against him.

Lord. You are out of the matter, whereof your talke consisted. I desire you not to tell me how farre I may take a forfeiture by a good conscience, but what a forfeiture is, and referre the taking and leauing the aduantage, vnto such as haue the power to punish or forgive.

Sir. So must I when I haue spoken all I can. But I hold it not the part of an honest mind in a Surueyor to be an instigator of the Lords extremities towards his Tenants: though I confesse he ought to doe his vttermost endeouour to aduance the Lords benefit in all things fit and expedient, yet ought his counsaile and aduice to tend no further, then may maintaine obedience

in

A good
meane to
make Land-
lords sparing to take
Forfeiture.

The part of
a good Sur-
ueyor.

in the Tenants towards their Lords, and loue and fauour of the Lords towards their Tenants, which being on all sides vsfayned, neither of them shall haue iust cause to complaine of, or to vse rigor to the other, for it is not the act or himselfe of any extremitie, that is onely to bee reprooued, but the abetter thereunto: and if I wist that any Lord, who shall require the vse of my poore trauailes, would expect more at my hands, then the performance of my duty with a good conscience, I had rather leaue then take the reward for such a trauaile. Neither doe I find that you, howsoever you reason of this poynt, will commit any act toward any Tenant you haue, that may not be iustified by the law of loue: therefore I leaue further to perswade or dissuade you herein. And as touching the matter and manner of forfeitures, I pray you vnderstand, that they be of diuers kinds, and diuers waies committed: for in some Mannors it is lawfull to doe that which in others incurreth a *forfeiture*. *Forfeitures* grow either by breach of a custome, as in Customary or copyhold land, or of a condition or promise in a Lease or graunt, of which last, the Tenant cannot say he did not thinke it was so, because the meaning is expressed in his deede, but of the former, silly men may be in some sort ignorant, if they haue not a Custome roll among them to leade them. But for the most part, causes of forfeitures are apparent, and knowne of all within a Mannor as *non payment of their rent, not doing his service, felling of trees upon his customary land, where custome inhibits it, letting his customary Tenement to fall downe, alienating his copyhold land without the Lords licence, committing waste, and such like*, which as I said before, are not alike in all places, and therefore it is most conuenient that the customes of every

Forfeitures
diuers in
diuers Man-
nors.

A custome
Role neces-
sarie.

Causes of
Forfeitures.

euery Mannor were knowie, and the Tenants made acquainted with them, that when question groweth for any cause offorfeiture, they may not say they knew it not for Lords commonly know better how to take aduantages of such casualties, then the Tenants know how to auoyd them.

Lord. You speake that is reason, I confesse. But may a Lord enter immediatly vpon a forfeiture?

How and
when a
Lord may
enter after
a Forfeiture

S^{ur}. The forfeiture must be first presented to the homage at the next Court holden for the Mannor, & there found, and recorded, and then hath the Lord power to shew iustice or mercy. It were inconuenient, that the Lord should bee iudge in his owne cause, and his present caruer of things doubtfull. And therefore hath the lawe ordained, in all controuersies, euen in these inferiour Courts, a iust manner of tryall by iury.

Lord. May none, but copy-hold Tenants, forfeit their Land?

S^{ur}. I shewed you before, that Tenants by deede indented for life or yeares, may forfeit their estates, but that is by covenant or condition expressed in the deede, according to the prescript agreement made, and interchangeably confirmed betweene the Lord and his Tenant.

Lord. What is an escheator, as I remember, that followeth in your formerly recited perquisites of Court.

What Escheators are.

S^{ur}. Escheat is, where a freeholder of a Mannor committeth felony, the Lord, of whom his land is holden, shall haue his land, and that kind offorfeiture is called escheat.

Lord. The Lord may then enter immediatly into this Land, because the lawe hauing tried the felony, it casteth the Land vpon the Lord.

S^{ur}. The King hath it for a yeare and a day, and then com-

commeth into the Lord, and his heires for euer.

Lord. Is this all the causes of Escheats?

Ser. Escheat may also be, where a freeholder, Tenant in auncient *demefne*, and a customary Tenant of inheritance, dieth without heire generall or speciall, and none of the bloud comming to claime the same, it falleth vnto the Lord, by way of *escheat*.

Escheat for want of Heires.

Lord. This then is immediately the Heire, and the King hath no part, or time therein, and without any further ceremony, he may enter and dispose of it at his pleasure.

Ser. It must be also first found, and presented by the homage of the Mannor whereof it is holden: and after proclamation made to giue notice vnto the world, that if any man come and iustly claime it, he shall be receiued: the homage then finding it cleare, doth intitle the Lord thereof, as a thing escheated for want of an heire.

How Escheats are found.

Lord. You speake of an heire generall or speciall, what difference is there?

Ser. The heire generall, is of the body of the deceased, and the speciall, of his bloud or kinne.

Lord. Do haue you satisfied me thus farre: now what say you to the pleas of Court? for I remember, it is part of that you before spake of.

Ser. It is true: they are parcell of the *perquisites* of Court.

Perquisites of Courts.

Lord. Whereof commeth the word *Perquisites*?

Ser. Of the word *perquisit*, (as I take it) which signifieth to search for: or to enquire diligently, as also to get or obtaine.

Lord. It may well be so: but these things before rehearsed vnder the name of *Perquisites*, are all tallies, and not at all times alike: and therefore may be called *Perquisites*, things gotten by diligent enquiry. And to that end, so many things are giuen by the Stewards to the Jury of a Court Baron, and

Leete

Perquisite,
why so cal-
led.

Leete in charge, that they should diligently enquire of them, find them, and present them: and yet scarcely one of forty, of the severall things, whereunto they are charged, are found by the Jury. And somethings happen at one Court, that happen not againe in twenty Courts after: and therefore are also called Casualties, as happening now and then, as I can remember, during this experience in this.

Sur. Yes: it seemes you have the better part of experience, namely, the receiving the profits that any way happen within the Mannor: some know the same, but as appertaining to others, not to themselves. Of this nature also are the profits that arise by *Pleas of Court*, which because they are diuers, and do diuerly arise, there needs no long relation of them.

Lord. Are there no other Perquisites of Court, but such as you haue already remembred, nor other profits arising to a Lord of a Mannor?

Sur. There be many other profits that may grow also vnto a Lord of a Mannor: yet they not certaine; nor in all Mannors alike.

Lord. Then are they also casual: and may be called also Perquisites of Comes.

Perquisites,
but not
Perquisites
of Court.

Sur. Casual: but not *Perquisites of Court*, yet some of them may be called *Perquisites* in some sense, because they be gotten by search and inquirie, as those that are hidden in the earth: Treasures, which as long as they lie unknowne, benefit not the Lord: but when they are found they are called *Treasure trove*, as *Silver, Gold, Plate, Jewels*, and such like beforetime hidden, which appertaine vnto the Lord. So doe *Minerals of Lead, Tinne, Copper*, and such like: and *quarries of Stone, Tree-stone, Slate, Flints, and such like*, and all such which may long lie vnderground: And *minerals of the Limbecke*, and such like: for which, search being made, are haply found: yet be-
cause

Treasure
trou.

cause the benefite is vncertaine vpon the present, and what continuance & vent it may afford, they may passe vnder the name of *Perquisites*, and *Casualties*: as may also *Fishing* and *Fowling*, vnlesse the Lord can bring the same to be of a certaine continuing rent: then are they no more casuall during the graunt, but are in nature of other rents certaine. And of these kinds, are infinite other things, incident to some Mannors, but not to all. As the profits of *Faires*, and *Markets*, *Wood sales*, *Sales of beehives*, and *Turbary payments*, and such like. All which are in themselves vncertaine, as touching the value, vnlesse they be turned into a rent certaine.

How casualties may become certaine.

Lord. That I take to be the surest way for the Lord, for he that commits the dispensation of these vncertaine things to Bailiiffs, vnlesse they be very honest indeed, may make their Bailiiffs rich, and raise little profite vnto themselves, as I am taught by experience, especially dwelling a farre off from my Mannors.

Ser. Yet the Lord must bee warie how he lets these casuall things, before he know what they are, how they rise, and what profite they may yeeld, how they will continue, and to whom, and vpon what conditions he grants them. Otherwise he may be overtaken and much abused: for a Secret once let, cannot be reuoked to pleasure.

Lord. You may indeed call these things secrets, because their valuations are not suddenly apprehended or found, being in themselves fowling, which sometimes come short, sometimes exceede the hope, & thus the value of them.

Ser. Therefore I say, in behoofe of the Lord, to whom such casualties shall befall, first to make due and diligent trial by men, both of trust and experience, what may be made of any such thing by due means. For such is the warie dealing of some, that haue the guiding of things

Policie in
Baileifes,
and Over-
seers.

things of this casuall nature, that they will obserue the conditions and qualities, circumstances and value to themselves, and disable the thing, and extenuate the value, to the Lord, to bring him out of conceite with the goodnesse and validitie thereof, to the end they may obtaine a graunt, as hath fallen out in many things, and to many men, whoie future profit of the things thus archiued, haue approoued the Lord to be much abused. This I knowe by experience, in the graunt of a *Cole-mine*, which as long as it was in the Lords hands, it yeelded a small yeerely renew, vntill he that managed the same, got a graunt of the Lord, and then the profit was twice quadrupled by the Lessees owne confession. The like of a *Salmon fishing*, wherein the Lord lost two parts in three, and yet at the time of the letting, made to beleese, it was hardly worth the Rent: Yet would I wish the Lords of Mannors in these casuall things, would be contented, after true triall made, to grant the same for a reasonable rent, though the lessee gaue: for the trauaile and hazard in these vncertaine things deserue some fauour: for in receiuing a rent, is little toile, and as little danger. But in these kinds of things, is vncertaintie of profit, and assured care and labour.

Lord. I obserue by your discourse, that you same be indifferent betwene the Lord and Tenant: I mislike it not so you stand firme to the Lord that employeth you, as right and equitie requireth.

All profes-
sors haue
defects.

Ser. Experie profession Sir, hath his defects: if they be voluntarie or wilfull, they are vtterly intollerable: for they be either for affection or lucre: negligent defects cannot bee excused: for they proceede of the want of heede, and carefull industrie. But for my part, I will in-

deuote

deuour to discharge my dutie truly, and will wade in the businesse, both mine eyes opened: but when I consider the Lord and the Tenants, I will shut them both.

Lord. Will you so: Is that all the care you will haue of the Lords benefit, that payeth you for your travell? And shall the Tenant be as well respected as he: I thinke you will hardly proue a fit Suruey for me.

Svr. If you require other then an vpriight course betweene your Tenants and you, I reuerence your person, but desire not your service: For, know you this, I pray you, that as the land and the profits of it is yours, & your reuenues grow by the rents, labour, and seruice of your Tenants, your Tenants haue as good interest in their Tenements for their rent and doing their seruice, as you (vnder your correction) haue in the Mannor, according to the quality of the Tenures: and that being saued to them, and a good conscience to me, I shall doe what you will require.

Lord. It is as much as I desire: for that which I crant of you, is but to obserue and report euery particular thing, within the compasse of your Suruey, whereby I may apprehend truely the full estate of my Mannor as becometh, and what commodities doe rise, as may by any meanes lawfully be raised in the same.

Svr. If a painter should draw your picture, Sir, and you hauing a blemish in your face, or defect in your limmes, would you thinke he dealt truely with you, if hee omitted the blemish, and made your lineaments perfect and straight, being deformed and crooked?

Lord. I knowe your meaning: I like no such flattery, neither would I he should make a straight leg crooked, but true conformity in all parts.

Svr. So will I as neere as I can: for neither in quantity, quality, nor value, will I, for I ought not be partiall:

My Lord
and I
shall
be
as
well
respected
as
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thinke
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hardly
proue
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fit
Suruey
for
me.

What a
Lord may
justly chal-
lenge of his
Suruey.

**A Surveyor
should be
equal be-
tween
Lord and
Tenant.**

for these are the things wherein iniury may be done to the Tenants: neither will I, for I ought not conceale or counterfait their estates, termes of yeares, liues, covenants or conditions, rents, seruices, forsaytures or offences, neither whatsoeuer profits, emoluments, or commodities that may any waies arise or grow vnto the Lord. For a partiall eye seduceth the heart, and the heart, the hand, and the hand the pen, which cannot but witnesse against a corrupt entry of these collections, many yeares after the Surueyor is in his grave.

Lord, Thou speakest as an honest man, and I milled
thee not, if thy words and thy works agree. And seeing we are
growne thus farre, I pray thee make an end of thy whole
discourse, and tell me what else importuneth thee to praye:

gravel. I have already declared the most. But Manors much differ in their profits, For a Mdnor of small quantity of Land, and few Tenants, may be more beneficial to the Lord, then a farre greater.

**Corrodibil-
ites vnder
the tangen-
tial**

sw. Diners Lordship, yield extraordinary commodities, some vnder the earth, some of the earth: some above the earth: as *Timber, lead, copper, cole, stones, mil-stones*, and such like, found vnder the earth, which euery Man nor hath not.

Lord. But these are chargeable commodities to get.

Sir. So is the Lord of the Mannor at no cost in planting, plowing, setting, or sowing them.

Lord. That is true, but commonly the Land is barren where these things are found. And therefore it is a great work of divine providence, to yield such a commodity from under the barrenness soyle, to supply the want thereof in places more fertile, of other things most behoofefull to the welfare of man. And yet in many of these barren places, geto-
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The wisdom of Nature.

WIDE

with faith: A handfull of corne shall be sowne vpon the toppes of the Mountaines, and the fruit thereof shall shake like the trees of Lebanon.

Psal. 70. 14.

Ser. Where diligence is and the feare of God, there no doubt, God blesteth the labours of men, and waters euen the highest Mountaines from his chambers. For when Israell turned to God from their Idolatrie, hee promised by Ezechiel, that their desolate places, and high Mountaines, should be tilled and sowne. But he maketh a fruitfull land barren for the sinnes of them that dwell there in. So that whether God send his blessings vnder the earth, vpon the Mountaines, or in the Vallies, whether in grasse for Cattle, in herbs for the vse of men, whether in Wheate, Oyle, or Vines: he truly intireth none vnto them, but such as feare to offend him, and shew thankfulness.

Psal. 104. 13.

Ezech. 36. 9.

Psal. 109. 3. 4.

Lord. Though these words digresse from our present matter in hand somewhat: yet it is good, that both Lords and Tenants should know and acknowledge in deede, from whence all these good things doe procede. For although they come, some from vnder the earth, some of the earth, and some aboue the earth, they be not yet the gifts of the earth, but of God, that hath provided the earth to bring them forth to our vse. But what meane you by the things of the earth: come not these into the earth?

Lords and
Tenants
must ac-
knowledge
all to come
from God.

Ser. Yes, I confesse it: but some things are more pen-
ful of themselves then other. But such as by an extraor-
dinary working of mans art, are made of the earth, I
term things of the earth, and they also rest to the bene-
fit of the Lord, of that Manner, where such earth is
found: as the earth whereof *allens*, *Coppas*, *Salt peeces*,
Wasse, or other such is made, together also with *Fullers*,
Smiths, *Bricks*, *Tile*, *St. Pattons* clay, which are not common.
Lord. Is there any other thing materiall, incident to
a Spanna?

Ser.

Things
made of
the earth.

Sar. Yea, and amongst all the rest of the priviledges which the Lords of Mannors have to raise their further benefites by, are two not yet mentioned, wherein if they be not very precise and circumspect how they bestow them, and in what sort they dispose of them, there will follow a scarcfull account, when the great Lord of all Lords shall take survey of the things done by the Lords of the earth.

Lord. What are these things, I pray you, that you make such scruple to utter them?

Sar. Things of themselves lawfull by the lawes of the Land, where they be iudiciously and carefully handled, as they are by the lawes intended, and by the chiefe disposers meant: namely, the marriages of *Wards*, and disposition of their lands in their minorities, and the presentations of benefices in the gifts of private men.

Wards.

Presentations.

Lord. For the first, I have not yet occasion to make proof how or what they are, but the second, I have had some power to bestow, wherein I was not so remisse, as that I presented such as were not fit for the function, which I think is your meaning: and therefore let that passe a while, and learne me what a Ward is, and how he and his land is to be disposed by the law, that I may learne it against the time I may have use, to dispose both the Ward and his land.

The word Ward, whence taken.

Sar. The word Ward is as much as Guard, which signifieth tuition or defence, and he that is in ward, is under some mans government and keeping: and the word hath a passive signification, as it is used in our common speech, and yet the same word is also used in the active sense: as they that watch or attend for the defence of any are called the Ward or Guard of that person or thing they doe protect. But the Wards whome we are now to speake of, are the sonnes or daughters, heires to some

passive

person, that held his land either of the King in chiefe, or of some inferior person by Knights service: whose heire male being vnder the age of 21. yeares, and the female within the age of 14 yeares, the Lord shall haue the Ward, Guard, or custody of the body and of the lands so holden of him, to his owne vse, vntill they come to these ages, without making account to the heire when he or shee comes to age, as law booke will tell you.

Wards
what they
are.

Lord. Then me thinks, the word as it is commonly used, is improper, namely to call such an heire a Ward: it is more proper to say, he is in ward, and not a Ward.

Sw. I take it as you doe.

Lord. But what is the reason that the Lord should haue the land to his owne vse: why rather doe not the profits redound to the vse of the heire in his minority.

Sw. This kind of wardship had some reason for it in the beginning. For you must vnderstand, that he whose sonne or daughter is to be thus guarded, and his land to be disposed by the lord, was in his life time bound by the Tenure of his land, to doe manly and a full service in person in the time of warre: or to keepe a Castle, with some kind of warlike weapon, in the time of warre and peace. And these kinds of capitall seruices were called either Tenures *in capite*, as holden of the King, who is the chiefe, Escuage vncertaine, grand sericantie, or some other like seruice, and was called *seruitium militare*, seruice of a Souldier, now called Knights seruice, for the title of Knighthood came first by military seruice, and *miles* signifying a Souldier, signifieth also a Knight, though every Knight now be not a Souldier by profession, yet every approoued Souldier is a Knight by imputation. For hee that holdeth by these seruices, though he be not a Knight yet the seruice is called Knights seruice. And these serui-

What Te-
nure draw
Wardship.

The cause.

ces were not to be discontinued, for to that end, were the lands first given by the King and other inferiour Lords of Mannors, that they might haue the continuall seruice of their Tenants. And therefore whensoever the Tenant of such a Tenure died, hauing none to supply the place of like manly seruice, the heire being vnder age, and not of power, the Lord was, and is supposed to be bound for the defence of the Realme, to performe the seruice by a person, for whome he must answere in the heires minority. And because the charge was in former times great and dangerous, and the land given onely for that cause, the Lord was to keepe the heire, and to see him trayned vp, and to be made fit for the same seruice: and for his maintainance and supply of the seruice, to haue the vie and profite of his Land, vntill he became able to performe the seruice himselfe in person, and wherein I hold the heire hath no wrong in law nor conscience.

Lord. I thinke this is done with great reason: for it hath not bene thought reasonable, the lawes should not be pouldred in that case as they haue done: as it appeareth by your relation.

Statutes
for the con-
firmation of
Wardships.

Sir. Many Statutes indeede haue beene made touching *Wardship*, *Mag. cart. c. 47. & 28. Marl. cap. 6. 7. 8. & c. Westm. 1. Westm. 2.* and many Statutes since, to which I referre you too long here to relate.

Lord. What needed you then to giue such a strict censure touching *Wardship*?

Sir. Truly, to put Lords and others, into whose hands they often happen, in mind to be carefull of their education and disposing: because many inconueniences follow, if their Guardians be not faithfull, and prouident for their well bestowing.

Lord. How, in bestowing?

Sir.

Sir. In marriage. For the Lords have the mariage both of the Male and Female, if they bee unmarried at the time of their ancestors decease. And it falleth out many times, that partly for their land, and partly for their mariage, they are bought and sold, and married yong, and sometimes to such as they fancie not, and when they come to riper iudgement, they bewray their dislikes too late, and there growes disparagements. And sometimes their education is so slenderly regarded, that when they come to gouverne themselves, and their families, their estates and patrimonies, they discouer what their education was, good or euill.

Mariage of Wards

Lord. There be three speciall ends whereunto the good education of such an Infant should tend, as I suppose. The first and principall, is feare of God, in true Religion: the second is, the benefit that the Common-wealth shall reape, by his vertues sufficiencie: the third and last, the abilitie by which he may gouverne his familie, and manage his patrimonie, for his best maintenance. But what can you now say, touching the second of these chiefe points: Namely, the presenting of Clarke unto Ecclesiasticall livings, and how it cometh to passe, that our Lay-man (as he is called) may nominate and present a Clarke, to a Parsonage, Vicarage, or free Chappell, whose function is high, and divine.

Three ends where unto the good education of Wards tendeth.

Sir. The reason why these Lay-lords of Mannors do present, as aforesaid, is in right of the Parsonage, Vicarage, or free Chappell, belonging to their Mannors, and where the Lord of the Mannor is verie and vndoubted Parron of such an Ecclesiasticall gift, he may make his choice of the Parson, or Vicar. Alwaies provided, by diuine ordinance & humane institutions: he must be *Worthy*, he for the place.

Why Lords of Mannors doe present Clarke.

Lord. But yeth it in the Lords power, onely to nominate and present such a one: and is it then sufficient if he be the partie fit?

Sur. No, he must be approoued fir by his *Ordinarie*, the Bishop of the Diocese, by whom he must bee instituted and inducted.

Lord. Then is the Lord in his nomination, and presentation, cleared of offence to the Church, if the partie present after insufficient.

Sur. He is in some sort. But hee is bound in conscience to bee very circumspect in his choice. For if any carnall consideration mooued him to the partie, he standeth not cleare before God, into whose steade hee intrudeth himselfe after a sort in this case. But if hee doe it in a godly zeale of the good of Gods Church, hee will ayme onely to the vertues of the man, and not to any humane respect. For, although the party haue an higher probation, namely, by the *Bishop*, that is specially of his *literature*, which is easily found by examination: But his qualities, conditions, and conuersation, by time and experience, and that must the presenter haue good trial of, before he either name him, or present him. For he is as it were the hand, that reacheth him forth to bee received of the Church. A matter farre higher and of greater moment, then euerie man that couets *admissions* for such presentations sake, can reach vnto by their rashnes. For if they weyd the matter in the ballance of diuine iudgement, they should find their vnderstandings farre too light to performe it as they ought. For if he prove vnprofitable, or scandalous to the Church, as too many doe, he that presented him so vnadvisedly, will fearefully answer it in time to come.

Lord. Now surely, although peraduenture some may thinke these things digresse much from matters of *conscience*, yet I hold thy words within the compasse of it, for these are necessary obseruations and admonitions to vs that are

No carnall
considera-
tion must
moue a
Lord to
present a
Clarke.

What a Pa-
trone must
consider in
his choice.

Lords of Mannors, and to whose lot it often falleth to per-
 forme this worke. And I hold thou hast in this, none no more
 than an honest Surgeon should, in abusing men, to be wa-
 re how they dispose of this part of their patrimonie.

Sur. Sir, I hold it neither part of their Patrimonie,
 nor part of a Mannor, neither a thing vnto them of any
 advantage to their person, the greatest benefite is, that
 he may vpon the vacation, appoint a worthy man to
 teach himselfe, and his tenants, which as I conceiue it is
 a sweet gain: for by the godly Minister, he and they may
 gaue heavenly riches.

Lord. As thou sayest, it is a great benefite, nay, it is a
 high blessing to haue a godly teacher of the people: and it is
 the blessing of God on him, that hauing a goodly care, findeth
 himselfe and presenteth such a one: and too to him, that neg-
 ligently or wilfully doth the contrarie. But what say you
 to impropriations? for they also are within the compasse of
 a Surger, where the Lord takes the riches and nominates a
 Minister, Vicar, or other hiring, and he (offentimes) buri-
 eth the turne, as is commonly decreed in too many places
 at this bealme.

A Parso-
 nage or Vi-
 carage no
 part of a
 Mannor.

Sur. I know too many such, the more to be lament-
 ed, and that in Mannors of great value, and parishes ve-
 rie populous: whose continued ignorance of diuine du-
 ties, be trayeth the originall to proceede first from that
 Satanicall heale, to foster monasticall idlenesse. And as a
 matter too high for me, to aime at the meanes of refor-
 mation, I reuerently leaue to their discretions, who haue
 authoritie to reprobue it, and power to reforme it.

Lord. You say well, what else is there to be considered,
 touching the things incident to a Mannor?

Sur. Nothing Sir, that I now remember: but a mat-
 ter almost out of vse, a tenure called Villanage: that is,
 where the Tenants of a Mannor were Bond-men and

Impropria-
 tions.

Tenure in
 Villanage.

Bond-women, the men were called *Villaines*, and the women *Villaines*.

Lord. As hath been said: A *Villaine* is an opprobrious name, howsoever it take beginning.

Sir. As the word is now used and taken, it is indeede a word of great dishonour: but the time hath beene, the word hath been of no such disgrace. And it is now but as the thing is meant by the speaker, and taken by him to whom it is spoken: although some say, that a *villaine* is *quasi servus*: which name indeed is of a more tolerable construction in our common sense, then is now the name of *villaine*, which is indeede no more then *villanus*, a Rustique or Countryman, which word is in sense contrarie to *Cities*, or *Oppidanus*, but that since the Conquest by the *Normanes*, these *villaines* became bondmen: for where the Conquerour came and prevailed by force, there the Country people became *Captives* and *Slaves*. But *Kent*, which was not subdued by the sword, but by composition, retained their freedom still, as did also many *Cities*.

Lord. Why then should the name *villaine* be so odious, if it signifie but a Country-man: for there are many churlish and wealthy Country-men.

Sir. Because they endured under that name, many kinds of servitude and slavish labours, under their Lords as did the *Israelites* in *Egypt*, and whatsoever they possessed was not theirs, but the Lords.

Lord. I blame not any man then, for taking exception at the name: for he that would call me *Villaine*, as I were not, I thinke, meant to bring me into the same bondage: and yett there be not many under this kind of servitude at this day.

Sir. There are not: yett there be as many *villains* as in times past, in that sense, from which this word was first derived:

Villaine
quid.

Villainos
came by
Conquest
bondmen.

Many *Villains*
at this
day.

deriued: which as I said, was from the place of their inhabiting the Country, and Country villages & out farmes. And a man may be called *Villaine*, without offence, vnlesse it be spoken in opprobrious sense: for if a man should aske a Scholler how he would call, for what admitt he would giue vnto a man, dwelling in a Country village or house he would say he were *Villanus* or *Villanius*: a man belonging to a village or to some Country house or Farme, for *Villa* significth a village, a Farme or a house out of a towne. *Cicero* *villam contemplans* (saith *Cicero*) whose Manor or Farme I beholding. So in Cornwall and some part of Devon, a house in the Country is called a Towne. This I produce, to shew whence the word *Villaine* was first deriued. But the word at this day needes not to be so carped at, vnlesse the party do the seruice of that *base tenure*, which vpon the Conquest was imposed vpon the Country people: which kind of seruice and slavery, thanks bee to God, is in most places of this Realme quite abolished, and worne out of memorie: yet some beare the marke, both in their auncient and new Copies, by this word *Tenens natium*, which significth a bond Tenant, or borne of the bloud: and yet it may be, their auncestors were manumised long agoe. And it were not amisse, that Stewards of such Courts, wherein such copies are made, would be carefull in making their copies vpon Surrender of such a Tenant, whose auncestors eternore possessed the thing he surrenders: for when a free man shall take such a copy, vnder the name of *tenens natium*, he hath wrong, and I thinke it little matter all, if the word were generally omitted, where there hath beene an enfranchisement: for the greatest argument for the continuance is, to maintaine the antiquity of

Villa significth a house, or Farme in the Countrey.

Tenens natium in a Copie, a badge of Bondage.

of the Mannor, and me thinks it were better that such an odious brand were cleane wiped and rased out of every mans inheritance: although (no doubt) there are yet some within this Realme without manumission; few knowne, but more concealed, and some (no doubt) have beene by the act of their Lord freed, and neither their Lords witting of it, nor the Tenants taking present advantage: for if the Lord buy or sell with his bonde Tenant it is an immediate enfranchisement of the Tenant and his posterity. And some have voluntarily released their Tenants of such a slavery. An act of charity.

Lord. Truly I thinke it is a Christian part so to doe, for seeing we be now all as the children of one father, the servants of one God, and the subjects to one King, it is very charitable to retaine our brethren in bondage: sith when we were all bond, Christ did make vs free. I feare we are now in bondage to pride, covetousnesse, gluttony, lasciviousnesse, drunkennesse, and such; if men could see them from that, they might say they were indeede manumised, and free, enfranchised.

Sur. You say well, and I wish that all men would but truly desire that manumission, and that you that are Lords would be conformed to a moderate course of action upon your Tenants bond or free, that you that are Lords might live of your lands, and your Tenants by their labours in such a measure, as you Lords should not be too strict in taking, nor they too backward in duty, but in a mutuall manner you to be helpfull vnto them, and they loving vnto you. And by this meanes, should your strengths increafe farre more by their love, then by your lucre, and their comfort grow as much by your favour, as doth now their groanes vnder your greedines.

Lord. Wee thinke you conclude more sharply against Land-Lords, then is cause, so; I am of opinion, there is little

Charity to
free bond-
men.

A mutuall
course be-
twene
Lords and
Tenants.

cause

cause tohy Tenants should so much grugde as some of them doe. If they say their rents are raised, or complaine of the greatnes of their fines, let them enter into consideration, how they tent their commodities: and they shal find as great inequalitye of the prices of things now, and in times past, as is betwene rents and fines now, and in times past. And as far as I can perceiue, an obseruing and painefull husband liueth, fareth, and thriueth as well vpon his farme of rackt rent, as many doe that are called Freeholders, or that haue Leases of great value for small rent.

Snr. There is some reason for it, which euery man either seeth not, or seeing it, doth not consider it, or considering it, hath no will or power to reforme it. Some Freeholders, and the Lessees of great things of small rent, bring vp their children too nicely, and must needs, forsooth, Gentelize them: and the eldest sonne of a meane man must be a young master, he must not labour, nor lay hand on the plough, (take heede of his disgrace) he shall haue enough to maintaine him like, and in the society of Gentlemen, not like a drudge. And when this young Gentleman comes to his land, (long he thinks) hee hath no leasure to labour, for Hawking, or Hunting, or Bowling, or Ordinaries, or some vaine or lasciuious, or wanton course or other, leaving plough and seede, and haruest, and sale to some ordinary hireling, who may doe what he list, if the poore wife be as carelesse at home, as husband is abroad: And at his elbow he hath perchaunce some vaine persons, that dissuade from couetousnesse, and from too much frugality, and that he needes not to care for getting more, he hath no rent to pay, but some to receiue which will maintaine him: and when he is gone, all is gone, spending is easier then getting. And thus by litle and litle roweth himselfe and the hope of

M

his

Prices,
Rents, and
Fines in
times past
and present
not much
vnequall.

The reason
why some
Farmers
liue as well
as some
Freeholders.

Young Gentlemen,
Yeomen,
and
hired men.

The Farmer cares
to pay his
Rent, and
labors for it

Happy is
the Tenant
that hath a
good Land-
lord,

his posterity vnder water, in the calme Sunne-shine of his pleasures. Whereas he, that hath a rent to pay, is not idle, neither in heart nor hand: he considers the rent day will come, and in true labour and diligence provides for it, and by his honest endeuors, and dutifull regard, gets to pay rent to his Lord, duties to the King, reliefe to the poore, and maintaines his estate more pleasing to God, more obedient to the King, more profitable for the Commonwealth, and more truely contented in mind, then sometimes his thriflesse Land-Lord. I inferre not yet by this Sir, that because they sometimes thriue well, that liue vpon rackt rents: therefore you Land-lords, should impose the greater rent or fine: that were to doe euill, that good might come of it, nay rather, to do euill, that more euill may follow: for if there be not a meane in burdens, the backe of the strongest *Elephant* may be broken. And the best and most carefull, and most laborious, and industrious husband, may be overcharged with the rent of his land. Happy therefore is that Tenant, that meeteth with a considerate Land-Lord, and happy is that Land-Lord, that may see his Tenants prosper and thriue, and himselfe haue his due with loue. And on the contrary, I thinke it will be very vnpleasant to a good mind, to see his Tenant to be overcharged and be forced to fall vnder the burthen of ouer heauie an imposition.

Lord. Well, I haue heard all thy discourse with patience: and indeede my desire was to heare thee in these things, and I mislike not any thing in thy whole relations, and thy conclusion is not amisse, though perchaunce some young nouices of the world might censure thee: reason will not but allow what thou hast said. And I wish that all the Tenants that I haue may liue vnder mee with comfort: for to tell the truth, I had rather buy a simple, and a good report of my faithfull
nante

nants something to my losse, then to get their frotnes to my gaine. For there is no comfort in a discontented people, though some haue said: Rustica gens, optima flens, pessima gaudens: which may hold among Infidels, and vnder Tirants, but not among Christians, that should not grieue one another.

A good resolution in a Landlord.

Sir. I am right glad, Sir, you are of so qualified a disposition, your example may doe good to others, if not, it will giue euidence against the contrarie minded in time to come. And so for this time I must intreat you, I may take my leaue of you. I will attend your other occasions forthwith.

Lord. That is my will. But who comes yonder?

Sir. I take it is your Tenant, that lately departed from vs.

Lord. So it is, I will leaue you two together: fare-you well. You know the places where mine occasions will drawe you, and in the meane time I will make you a warrant to goe in hand with it.

The end of the second Booke.



THE SURVEYORS

Dialogue, betweene the Farmer and
Surueyor: wherein is shewed the maner and

method of keeping a Court of Suruey, with the

substance of the Charge, and the Articles

to be inquired of, how to Inroll Copies,

Leases and Deedes, and how to

take the Plotte of a

MANNOR.

THE THIRD BOOKE.

Farmer.

On are happily met here again, Sir,
haue you euer since had conference
with my Landlord?

SUR. Yea.

Farmer. He is a man of good vn-
derstanding, and verie inquisitiue of
things of profit. And yet to tell you
truely, hee is a good man to his te-
nants.

Good Land
Lords de-
serue loue.

SUR. Loue him then, for such deserue loue.

Farmer. He is beloued of his tenants indeede: for they will
goe, and rise, and fight for him.

SUR. It is the part of good tenants, & an argument of
a good Landlord. But fare you well, I cannot now stay,
I haue been long letted by your Landlord and you, and
I haue present businesse.

M 3

Farm.



Farm. Are you presently to undertake the survey of my Land-lords Lordships?

Sur. I am now going about it.

Farm. I thinke it be in your choice where to begin, let me therefore intreat you to begin with Beauland, a Mannor of his here at hand, whereof I am both tenant and Bailly: and therefore I will and must attend you; and yeld you my best ayd, both by my trauell, information, and records of the Mannor.

Sur. Keepe you the Lords records?

Bayly. The key is in my keeping that leads to the Chest, but the key of the Chest is in my Lords keeping: but I will send for it, that you may haue the full view of the euidence.

Sur. So it behooueth. Is it a large Mannor?

A Surveyor
ought to
see the
Lords eu-
dence.

Bayly. It is spacious in circuit, and of great apparance of Tenants, full of diuers commodities, both vnder and aboue the earth, as also of fishing, and fowling, and beareth not the name for nothing: for the Mannor is faire, and very commodious.

Sur. Bee you then my guide: Is yonder it, with the faire house by the woods side?

Bayly. That is it, and a stately house it is indeede.

Sur. It seemes to bee a large and loftie cage, if the bird be answerable.

Bayly. What meane you by that?

Great hou-
ses with
small reue-
newes, can-
not sute
well.

Sur. I meane, that a *Titmus*, may harbour in a *Peacocks* cage: and yet the cage maketh her not a *Peacocks*, but will be a *Titmus*, notwithstanding the greatnesse of the cage: So if this loftie Pyle bee not equalized by the estate and reuenues of the builder, it is as if *Pauls* steeple should serue *Pancras* Church for a belfrey.

Bayly. I thinke my Land-lord sent you not instead of surveying his Land, to deride his house.

Sur. The house is beautifull and faire: I deride it not, you doe your selfe wrong in attaching mee, neither discommend

commend I the builder. For he that hath gold enough, let him build a house of gold, with *Nero*, who made vnto it a pond *Maris instar*, and woods full of all kinde of wilde beasts. *Publius Clodius* whom *Milo* slew, bought a house which cost him 147000. *Sesterties*. Let Princes haue their Palaces, and great men, their pleasant seates: for the poorest will please his fancie, as farre as hee may. But to tell thee by the way, (for this is but idle communication) that I haue obserued in nothing more sudden and serious repentance, then for building: I could point out places and persons too with my finger; but what needs that? I wish their repentance could redeeme the thing repented of, but it can no more doe it, then *Quintus Curtius* could redeeme himselfe out of the deuouring gulfe. We haue in our dayes many and great buildings, a comely ornament it is to the face of the earth. And were it not that the smoake of so many chimneys, did raise so many duskie cloudes in the ayre, to hinder the heat and light of the Sunne from earthly creatures, it were the more tolerable.

Mart. lib. 2.
Great houses
fit for
great men.

Building
often re-
pented.

Many chim-
neys, little
fires.

Bayly. *Bay* truly, I will excuse that fault, the fire is made most in the kitchen.

Sir. Then it besmoketh not the hall, as old worthy houses did, whose kitchens smoake sent forth clouds of good meate, and showres of drinke for the poore.

Bayly. *Pea, Sir*, that was a comfortable smoake: but *Tempora mutantur, & omnia mutantur* in illis: no earthly thing continueth constant, but hath his change. *Lo, Sir*, now you are come to the house it selfe.

Sir. Truly, here is a pleasant ascent, neither too steepe nor too flat, and of a good length. And now we are come to the top of the hill: heere is a goodly prospect and pleasant. And these springs I like well. For a house

The best si-
tuation of a
house.

without

Earthen
conducts.

without lively water, is maymed: and the water is well conveyed, that it cannot annoy the foundation of the house, and yet serueth the most necessarie offices very commodiously: and I see the Conducts are made of earthen pipes, which I like farre better than them of Lead, both for sweetnesse, and continuance vnder the ground. The trees are well placed about the walkes, but that they are somewhat too neere together, their branches confound one the other, they are but twentie foot, and I like better, thirtie. It standeth warm, and comfortable towards the South-east, to which the best lights are made fitly to serue: but if the ground would haue serued, I like plain South the better point, for the comfort of the Sunne, at all times of the yeere. And nature hath planted this wood most commodiously in the Northside of the house. And it is delicately aduanced vpon the edge of the hill: it is not possible to seat a house more delightfully, for Winter & Summer, in mine opiniō. Now too, if vpon view of the demesnes, and the rest of the parts, it be not found like vnto a child borne in Cheshire, with a head bigger than the body, I shall like it well. Now to our businesse: you are bayly, take this Precept, and summon the tenants to make their appearance, according to the purport of the same.

The forme of the Precept.

Beauland
Manerium.

T Hese are to will, and in the name and behalfe of the Lord of this Mannor to require you, to giue notice and warning vnto all and singular the tenants of the same Mannor,

nor, that they make their personall appearance on Monday next, being the tenth of this instant June, at the place where the Lords Courts of this Mannor are usually kept: And also to warne them, and everie of them, to bring with them all such Deeds, Copies, Leases, and other Evidences, whereby they, or any of them doe hold or claime to hold of the Lord of this Mannor any land, tenements, or hereditaments: And that they then and there shew, or cause the same to be shewed unto the Lords Surueyor, at the Court then and there to be holden for that purpose, and to giue their further attendance, as occasion of the seruice shall require: Whereof faile you not, &c. Dated the 3. of Iune, in the fourth year of the raigne of our Soueraigne Lord, James by the grace of God, King of great Britaine, Fraunce, and Ireland, &c.

Pet. I. N. Superuif.

To the Bayly of the Mannor of Beauland, or his Deputy, to his Deputy: I, the said Lord, do hereby command you, that you cause the said Bayly, or his Deputy, to keep the said Court, which I have now and then appointed you to keep, at the said Mannor of Beauland, on the first day of June next, at the place where the said Court is usually kept, and to bring with him all such Deeds, Copies, Leases, and other Evidences, whereby they, or any of them doe hold or claime to hold of the Lord of this Mannor any land, tenements, or hereditaments: And that they then and there shew, or cause the same to be shewed unto the Lords Surueyor, at the Court then and there to be holden for that purpose, and to giue their further attendance, as occasion of the seruice shall require: Whereof faile you not, &c.

Commonly the Lords of Mannors doe direct their letters of warrant unto the tenants, vntill the Suruey- or be a knowne Surueyor by patent, and performeth the seruice, when and where he thinketh most fit for the Lords vse.

The order of a Court Baron being performed (for a Surueyor hath not power to administer an oath *ex officio*, vnles he be a Surueyor by patent, or by commission out of the Chancerie or Exchequer, Duchie Court, Court

Court of Wards, or such like) by a particular Steward, or by the Surveyor, who for the time may supply the Stewards office, and the charge of the Court Baron ended, the Surveyor may proceede to his admonition and charge, to the effect following.

First, taking note of the names of every tenant, both Freeholder, Copie-holder, Leaser, and tenant at will in a paper, and a Turle for the Survey, being impannelled, (after they be sworne) the Surveyor may premonish them to the effect following.

You that haue beene here presently sworne to performe your uttermost duties, in all the things that are and shall be giuen to you in charge, doe, or at least you may conceiue, that as the Court Baron (the charge whereof you haue alreadie heard) is with you ordinarily twise a yeere, and (if the Lord will) euery three weeks: this kind of Court, which I haue now to admonish you in, tending to the survey of the Maner, hapneth not (perchance) in the time of mans age, though the Lord hath power, and (no doubt) occasion to keepe it oftner. You must therefore shew your selues so much the more diligent in this, as the more seldome you are troubled therewith. And it behooueth you to call to mind what by oath you haue assumed to performe, namely, all that shal be giuen you in charge, whereof part hath been delivered vnto you already, which being so ordinarie amongst you, it must needs be more familiar, than the things you haue seldom heard of. And for that this busines of Survey reacheth a litle further then the Court Baron, let your due attention, & examination, and faithfull presentments witness your true affections to the persons, & ends to which the purpose of our present meeting at this time aymeth.

The

The particulars inquirable are many, and of many kinds: but the persons and ends few. The first is God, in whose presence we all stand: who loueth truth from the inward parts, that is, when the action and the will concur, and hateth dissimulation. The second is the King, whose we all are, vnder God, whose lawes we are to follow, as wel in this businesse, as in any other: for that it tendeth to the seeking and setting of truth, (the mother of true peace) betwene you and your Lord, in giuing both to you and him, what is equall and iust. The third, is the Lord of the Mannor, whose you are vnder God and the King: and therefore requireth at your hands at this time, equall dealing, neither to discouer for malice, nor to conceale any thing for fauor to either partie. The fourth, is your selues, whom you can in no better sort befriend in this action, then to keepe your hearts and lips pure, in concealing or uttering. For there is as great a danger in concealing truth, as in uttering a falshood. And there is no such burden, as the burden of a guiltie conscience, which is laid on no man, but of himselfe. And lastly, the persons to bee considered in this businesse, are your posterities, whom your true or false relations will either helpe or hurt. The ends whereunto it aymeth, are first, to explaine vnto the Lord of the Mannor, what is his by the examination of your estates, rents, and customes, and to establish you in all things that are rightely yours: both which being truly found, and duely recorded, cannot but preserve amitie betwene you and your Lord: which should be the principall end of all in- deuours. And sith God is the first and the last, and will be present in the beginning, in the middle, and in the end of all your consultations, and will be a witnesse for you,

or against you, euen in your most secret counsels, set him before the eyes of your hearts : so shall you tremble to conceale truth, or vtter falsitie, whether it be with or against your selues, or dearest friends, yea, or the Lord of the Mannor himself: whose purpose in this seruice is, that the manifest truth might be confirmed, the hidden reuealed, & errors abandoned. And al this lieth in you, and at your hands it is required to search, and by searching & examination, to find out and found, to deliuer & present the whole, & not a part of your sincere knowledges, for fro your mouths must that be taken & had, which must be recorded for the direction of your posterities as a perpetuall glasse, wherein the estates of all the particulars within this Mannor, may be at all times seene and confirmed : wherein you shall discharge your dutie to God, who commands and commends truth to the King, who by the sword of his Iustice, maintaines truth : to your Landlord, who desireth only to know, and haue his own: to your selues, who by this meanes shall possesse your owne in peace: and to your posterities, who by this your trauell, diligence and true information, shall partake of your sincere and faithfull seruice, being inrowled, and recorded vnder your names, to your perpetuall commendation : whereas if you delude me, and abuse the Lord of the Mannor that hath sent me, I by your sinister information may commit error, and leaue it to your posterities by record: yet shall I be free of the wrong, and you shall answere it. And if you should frame any defence against the seruice, and plead either ignorance, or shew obstinacie, pretending thereby to stand dispenced of your oath, because you doe it not, you deceiue your selues : for the seruice is so inseparably knit to your re-

dures,

mures, & your tenures to the Lord of the Mannor, as deny or refuse to doe the one, you forfeit the other: howsoever some may say, that they are freeholders, and they are customarie Tenants of inheritance, which in their conceit emplyeth a kinde of freedome: let them not deceiue themselves, their estates are conditionall, as both by their deeds and copies, they may bee easily resolued, by these words: *Habendum sibi & heredibus suis* (in the deede) *ad voluntatem domini, secundum consuetudinem manerii* (in the copie.) In both *pro redditu & seruitiis inde prius debet. Et de iure consuet.* And because some of you doe not (perchance) vnderstand the meaning of the words: thus they signifie, that you are to hold your Tenements, to you and your heires, &c. For such rent, and doing such seruices, as haue beene heretofore due, and of right accustomed. Is not this a condition? for if you pay not the rent, or denie the seruice, you are at the Lords mercie to be compelled. I doe not thinke therefore that any of you, of any discretion, will aduenture the losse of his interest, for not performing a seruice at his Lords commaund, that tendeth also to his owne benefite, and to no preiudice at all.

The end therefore of all mine admonition is, to moue you (being a thing of common right) to shew your selues like vnto your selues, true and faithfull Tenants vnto the Lord, concurring all in one mind, to doe the Lord this seruice in loue, and the Lord, no doubt, will recompence it with like fauour, although there be no recompence due for that which duty bindeth to be done. By this meanes you shall confirme your owne strengths, by gaining and retaining the Lords kind countenance: and he againe shall be the more fortified, by your true affections to-

wards him: for what a ioyfull thing is it, for Lord and Tenant to dwell together in vinity? Now hauing thus prepared you to attention vnto the matters of your charge: I will heere read, and explaine vnto you such Articles, as shall be for your instruction, and leaue them with you in writing for your better memorie: for I know, and haue often found, that a bare deliuerie of many words, and of diuers things (as in the charges commonly giuen in Courts Baron, and Leete) euen to eares well prepared, may be little effectuell, lesse to him that heareth, and regardeth not: but least of all to him that will not regarde or heare at all. Such hearers there are of diuine things, but many more of humane of this kind: but were they matters of carnall pleasure and delight, they would be both heard and practised: And therefore I the more moue you to attend vnto the things which I now am to deliuer vnto you.

*The substance of the charge of a Court of Suruey,
contained in the Articles following.*

Beauland
Manerium.

Owner of
the Mannor

Founds of
the Mannor

First, as no doubt you all know, that *A. B.* Knight the reputed Lord of this Mannor, is the true and vndoubted owner of the same, and of all the lands, Meddowes, Pastures, and other hereditaments within and belonging to the same: And that you, and euery of you doe hold your lands belonging vnto this Mannor of him, if not, who hath the interest and right of the same, to your knowledges.

2 You shall duely and diligently set downe, or shew vnto the Surueyor in his perambulation of the Mannor,

all the circuit, buttes, bounds, and limits of the same, and upon what, and whose Mannors, Lordships, lands, and parishes it bordereth on all parts. And whether any confining Lord, or his Tenants, doe any where intrude or incroche vpon this Mannor, where it is, by whome, and how much is so incroched.

As for the bounding of the Mannor, it is fittest to be deliuered vnto the Surveyor, when hee treads the circuit, and that the best experienced Tenants accompany him for information, and some of the youth, that they may learne to know the bounds in times to come.

3 Whether there be any other Mannor or Mannors lying within the limits or circuit, or extending in part into this Mannor, what are the names of the Mannors, and who are owners of them, and how are they distinguished from this Mannor. And whether this Mannor doe any way extend into, or lye within any other Mannor.

Mannors
intermixt.

It is often seene, that one Mannor lyeth within another, and intermixt one with another in such sort, as the true circuit, buttes, and bounds, become confounded: necessary therefore it is, that their distinctions should be carefully observed and recorded, for oftentimes one is deuoured, or otherwise injured by the other, when Lords are remisse, and Tenants careless, to bring that to certainty, which is, or may become doubtfull. And especially where many Mannors lye intermixt, and one man holdeth land, copy or free of them all, there often times groweth confusion, vntlesse each part be well bounded and bounded, for though he can say how many acres hee holdeth of either Mannor, yet he cannot distinguish the land whereby some of the Lords cannot but be abused, or the Tenants wronged.

ynols
anols

4 What Freeholders there are within, or doe belong vnto

Freehol-
ders.

Freeholders

vnto, and hold their land of this Mannor, what are their names, what land hold they, what rent pay they, by what Tenure doe they hold, and what seruices owe they to the Lord?

The negligence of Lords in the due continuance of the substance of this Article, hath bred preiudice to many: for where Freeholders dwell out of the Mannors, whereof they hold and pay vnto their Lords but a small acknowledgement, as a rose, a pepper corne, a lylloflower, or some such trifle: or are to doe some seruice times at whereof in many yeares hath beene no use, they haue not beene looked for, neither haue their suites beene continued for long time, insomuch as they and their Tenures haue growne out of memorie, and their seruices out of use, and other Lords haue intitled themselves to the land, and the right Lord lost all possibilities of estate, wards, marriage, &c. As common experience maketh more plaine, by the daily questions and suites, which rise, when profits apparent, may grow by any of the former casualties,

And therefore it is most necessarie to haue alwaies a true suite roll whereby the Steward should every Court call the Freeholders by name, and to expresse what rent he should pay and what seruices he ought to doe, and that at the death of every sutor, his heire with the land, rent and seruices, would be inserted in his fee-de. The profit that will hereby grow vnto the Lord and Tenants, is manifest, and this roll is to be made by the Surveyor, and to be indented, the one for the Lord, the other for the Tenants, vpon view of every Freeholders land.

Felonie,
Treason.

Whether you know, that any Freeholder within or belonging to this Mannor, hath committed any felonie or treason, and hath bene thereof conuicted, the Lord not yet hauing the benefit of the forfeiture: or whether hath any such Tenant died without heire generall

or

or speciall: If so, who hath the present vse and possession of the Land, and by what right, what land is it, where lyeth it, how much in quantity, and of what value?

It is a great defect in the Suruey of a Mannor, which remaineth to posterities, being inrolled or ingrossed for perpetuall memorie, when the Surneyor doth superficially passe over the obseruation of the lands of euery Freeholder, their Tenures, quantity of Land, the place where it lyeth, the rent and seruices. For vpon sundry necessary occasions, the Lord is to seeke in euery of these: and some are worthy, because they loue not to be at charge to find out and continue that which is not presently profitable.

6 Whether doth any bastard hold any land belonging to this Mannor, as heire vnto any, what is his name, what land is it, and where lyeth it, and what is it yearely worth?

Bastard

A Bastard, though he be knowne to be the sonne of that father that leaueth him the land, cannot inher it iure hæreditario, but by conueyance. Neither, if he purchase land in his owne name, can any inherite it after him of his supposed bloud, vlesse he be married, and haue children lawfully begotten to inherite. Because it is contra formam Ecclesiæ, as appeareth more at large. Merton. cap. 9. For a Bastard is no mans, or euery mans sonne.

7 What demesne lands hath the Lord within or belonging to this Mannor, what and how much woods, vnder woods, Meddow, Pasture, arable, moores, marshes, heathes, wastes, or sheepe walkes: And what is euery kind worth yearely by acre, how many sheepe may the Lord keepe vpon his walke winter and summer, and what is a sheepe gate worth by yeare, and what is euery acre of wood worth to be sold?

Demesnes.

O

Although

Although this Article, and sundry other hereafter mentioned, be in substance enacted by a Statute made Anno 3. Ed. 1. called extenta Maderii, to be enquired of by the Tenants, yet it is the part and office of a Surveyor, to see, examine, and iudge by his owne experience and knowledge, every particular, comparing the Iuries presentment with his owne opinion: so shall be more truly attaine to the true understanding of the things he seeketh: and the more, if he discretely feele the minds of forraine inhabitants, that are ignorants of the cause of his inquisition.

Demeisnes
in common
Fields.

8 What *demeisne* lands hath the Lord lying in the common fields of the Mannor, how much in every field, and every furlong: And what is an acre of ordinary field arable land worth by the yeare? The like you are to present touching *demeisne* meddow, lying in any common meddow within the Mannor.

Common
Fields, and
common
Meadowes.

9 Also you are to present the names of all your common fields: and how many furlongs are in every field, and their names, and the common meddowes, and their names. And what beasts, and sheepe, every Tenant ought to keepe vpon the same, when the corne and hay is off. And what a beast gate, and sheepe gate is worth by yeare, Also at what time your fields and common meddowes are laid open: and how are they, or ought to be used. And whether is it lawfull for the Tenants, to inclose any part of their common fields or meddowes, without the licence of the Lord, and consent of the Tenants.

This Article is duly to be considered, first in setting downe in certainty, what every man is to keepe vpon the fields, and common meddowes, because iniury is daily done by some of greatest ability, to the meaner sort, in oppressing the fields, with a greater number of Cattle, then according to a true proportion

portion will fall unto their share, which is very extortion, and a punishment is to be inflicted upon the offenders.

Also inclosers of common fields, or meadows in part by such as are most powerfull and mighty, without the Lords licence, and the Tenants assents, is more then may be permitted: the reason is, that the rest of the Tenants haue as much right to euery herbe, and grasse within the same, when the corne is off, as he hath that encloseth the same.

Baily. But Sir, if they lay it open at Lammas, or at such time as custome requireth, I thinke he doth neither Lords nor Tenants wrong.

Sur. Yes: for first, he deprieth them both of the feed, of as much as his hedges, ditches and inclosures take: besides, whether is it as conuenient for passe and repasse of Cattle at one little gappe or two, as when there is no estoppel at all?

Baily. You like not enclosures then.

Sur. I doe, and I thinke it the most beneficiall course that Tenants can take, to increase their abilities: for one acre enclosed, is worth one and a halfe in Common, if the ground be fitting the use: But that it should be generall, and that the Lords should not depopulate by vsurping inclosures. A thing hatefull to God, and offensive to men.

10 What Commons are there within the Lordship, Commons.
which doe properly belong to the Lord and Tenants of this Mannor, and how are the Tenants stinted, whether by the yard land, plow-land, oxegang, acres, or rent: how many may euery Tenant keepe, after either proportion or rate.

In this, the like consideration is to be had, as of the former: but that this kind of pasture is called in the Statute of extenta Manerii 3. E. 1. pastura forinfica, forraigne herbage or pasture, because no part of it is proper in any sort to any peculiar Tenant, no not to the Lord himselfe as are the common fields

and common meadowes. This kind of Common or pastura forinſica is in three ſorts: the one is, where a Mannor or Townſhippe hauing and holding their land in ſeueralty, haue by conſent lymited a certaine parcell of ground, to lye common among them, and from the beginning haue ſtinted euery man according to a proportion betweene them agreed, and that is commonly by the acre, which the paſture containeth.

Another manner of ſuch kind of Common paſture is, where certaine waſte grounds, one, two or more lye within the Mannor or Townſhippe, and the heard of the whole Towne is guided and kept by one appointed by the Tenants, and at their generall charge, to follow their Caſtle: in which kind of paſture, there is alſo a limitation or ſtint both of the number, and kinds of Cattle.

A third kind of this paſture, or common feeding is, in the Lords owne woods, that lye common to the Tenants: as alſo common Moores or heathes, that were neuer arable.

In all the former commons of paſture, there ſhould bee a certaine ſtint and allotment, both to the Lord and his Tenants: but in this latter, it ſeemeth that the Lord ſhould not be limited, becauſe all theſe latter commons are ſuppoſed his owne, and the Tenants haue no certaine parcell thereof laid to their holdings, but onely bit of mouth with their Cattle. But the Tenants ought to bee ſtinted in all ſorts of common-ſeſt, as I ſaid before, the rich deuour the poore: for the one can provide ſheepe, and other Cattle for the ſummer: and haue incloſed paſture for the winter, or can ſell againe, when the farraigne paſture is gone: but the poore cannot doe ſoe.

II. Whether hath any man to your knowledges incroched any part of the Lords waſte, by incloſure, or adding any part thereof to his owne land: preſent who hath ſo done, where, how much, & how long it hath cōtinued.

This

Incroching
the Lords
waſte

This kind of intermeddlement is not rare, especially where great wastes and mountainous grounds are, where the Lord nor his officers walke not often, and where Tenants, for fauour or affection, will wincke at euill doers, or for their owne priuate lucre, commit the same error themselves, with hedges, ditches, pales, wals, shedds, &c.

12 Whether hath the Lord any Parke, or demesne wood, which by stocking may turne to the Lords better benefite, by pasture, arable, or meddowe: and what is an acre worth, one with another the stocking, and how many acres is the wood, and what will an acre of the wood bee worth, and what will an acre of land be worth by the yeare to be let, when the ground is stocked and cleared.

Parke, & demesne woods.

Although it be the part of the Iurie, to yeeld their opinions in this case: yet it behooueth the Surueyor to haue so much iudgment, in euery of these points, as hee may be able to satisfie himselfe and his Lord, by sufficient reasons, least he be deuiued, and the Lord abused, either through ignorance or partialty. And aboue all it behooueth the Surueyor, to looke into the nature of the soile if the wood: for there are some wood grounds that are good for no other use, as a drie or cold gravelly ground, whose verue and disposition may be easily obserued by the herbage.

13 Also you must present the names of all customarie Tenants, within & belonging vnto the Mannor, what mesuages, Tenements or lands they hold, and what euery mesuage or Tenement is called, what rent it payeth: and what profit ariseth to the Lord, by the death of any such customarie tenant, or by the death of any freeholder, by fine, herie, or reliefe by the custome of the Mannor.

Customary Tenants.

Commonly these customarie tenants, upon death and alie-

nation

nation doe pay a fine, which in some places is certaine, and in some, given in the most they are at the Lords will: and in most places they are also heriotable.

Bayly. In this Mannor there be some customarie tenants heriotable, and some not, how comes that: can there be two customes in one Mannor?

Sur. There may bee so. And the reason may grow by the escheating of a Mannor, that had in this point a contrarie custome to the Mannor, to which it was escheated and annexed: and so the customes of either may hold vnder one Court.

Bayly. Your reason is good, and I take it, it may also be that these that pay no heriot, are tenements of a newe creation, and so upon their first grants, the heriots were waived.

Sur. That is not so likely: for that if any such newe tenements were, they were graunted in such forme as other tenements, with these words: *Habendum, et ad voluntatem Dom. secundum consuet. Manerii*: which words doe imply all duties and seruices, which the most ancient tenements are bound vnto.

There is also a Copy-holdestee, called ancient demesne, and the tenants, *Socmains*, whereof some are of frank-tenement, and some of base tenure. Tenants of Base tenure, are they that hold by verge at the will of the Lord, and the frank-tenement thereof is in the Lord.

It is to be noted, that Copy-hold lands are very ancient, before the Conquest, in the Saxons time, whereof this kind of land, Folkland, and their Charter lands were called *Bokeland*.

Difference of
Customarie
Land.

14. How doth the custumary land of this Mannor, by your custome, descend after the death of an Auncester, to the yonger or elder sonne? And whether will the custome of the Mannor allow an intaille by copy, and whether

ther doth it beare widowes estate, or whether may shee haue it during her life, though shee marry: and whether may a man hold by the courtie?

Sundry differences there are in sundry Mannors, touching the substance of this Article.

The custome of some Mannors is, that the youngest sonne shall inherite, as in Burrow English: if he haue not a sonne his youngest brother, as at Edguntoun in Middlesex.

The custome of some Mannor is, that all the sonnes, and all the daughters shall inherite alike as in Gavelkind at Iflington neere London.

The custome of some Mannors is, that if the Tenant die seized of five acres or under then the youngest sonne shall inherite, but if alone, then all the sonnes shall inherite, as in Gavelkind. Kitch. Heyre.

The custome of some Mannor is, that neither the wife shall haue dower, neither the husband hold by the wife. And the custome of some other Mannor is, that shee shall haue the third part of the rent, as at Busby in Middlesex, and no part of the land dower.

In some Mannors, the wife being a virgin at the time of her marriage, shall haue all the Copy-hold land for her franck banck, whereas her husband shall be seized. And many such. At Kilnersdon in Summersetshire, the wife hath widowes estate, and if shee marry shee loseth the land, but if shee be found incontinent, and come into the next Court riding astride vpon a Ram, and in open Court doe say vnto the Lorde if he be present, or to his Steward, these, or words to this effect,

For mine owne fault I take this paine, therefore my Lord let mee haue my land againe, shee is by the custome to be restored vnto it without further fine, doing this penance.

Whe-

Heriotable
Tenements
dismembred

15 Whether are there any Customary Tenements that are heriotable dismembred, and devided into parcels, to the weakening of the Tenement, and who bee they, that haue these heriotable parcels, and what quantity hath euery of them?

Although there be no immediate profite can accrue vnto the Lord, by the presentment of the substance of this Article, yet it behooueth the Lord to know, who be the Tenants to any part of the land belonging to an heriotable Tenement, because euery part continueth heriotable, and draweth vnto the Lord the best goods of the Tenant of such land deceasing, though the land in regard whereof he payeth it, be but an acre, and he haue elsewhere free or copy, that maintaineth horse, or other cattle of great value, the Lord may seize the best for his heriot.

Fines.

16 Whether are not the Fines for admittances, of a new customarie Tenant, being heire, or comming in by purchase, or vpon Surrender at the will of the Lord, or are the fines alwaies certaine?

This is an Article, whereat some close hearted Tenants will seeme to stagger, being the nature of all men to fauour themselves and their posterities, and to worke so, as they will (if it be possible) make the Fines certaine, by looking back into times past, whereun they haue found by old Records, and by report of Tenants before, that the fines haue beene certaine, and so they may be in some places though in few at this day. Anlike may be, former times did afford such fauour, vntill land became of more value: but of late yeares, that course hath been broken, and Fines become arbitrable, wherein I wish, that Lords and their ministers, would use a meane in exacting.

Forfeiture
of Copy-
hold.

17 How, and by what meanes may a customary Tenant forsaite his Copy-hold Tenement? whether for selling of

timber

timber trees, plowing vp ley grounds, or meddowes neuer tilled before, or for suffering his houses to decay, or for pulling downe any houses, or for committing any other wilfull waste, or deuising his customarie Tenement or lands, for longer terme, then the custome of the Mannor will beare: Or for committing any other act, contrary to the custome of the Mannor? And whether hath any Tenant of the Mannor offended in any of the former things? who it is, and wherein is any such offence committed.

Diuers Actes there be, whereby a Tenant in one Mannor may forfait his Copy-hold Tenement, which Act is no forfeiture in another Mannor. For customes are very different in diuers Mannors: for in some Mannors a man may cut downe wood and timber trees vpon his Copy-hold land, and sell them at his pleasure, which in some Mannors is a forfeiture.

Some Mannors doe allow the Customary Tenants of the same, to let their land for three yeares, some for more without the Lords licence: and in some Mannors to let the same aboue a yeare and a day, is a forfeiture.

In some Mannors a man may let fall all his customary houses, which in some other Mannors is a forfeiture.

In some Mannors a man may not plow vp or sow his Copy-hold Meadow, or ley ground, that hath not beene vsed to be tilled, in some Mannors contrary.

So that these kinds of forfeitures are according to the custome of euery Mannor.

18 VVhat are the customes of the Mannor in generall, both in the behalfe of the Lord, to performe or suffer to the benefite of his Tenants, and of the Tenants to performe to the seruice of the Lord.

Customes.

P

In

In the beginning of enery Mannor, there was a mutuall respect of assistance, betweene the Lord who gaue parcels of land whether in fee or to hold at will, or upon other conditions, and the Tenants of euery nature, for ayding, strengthening, and defending each other: the continuance of which first proposed course, hath bred that which is now called custome by the fauour of tyme. And thereby that which at the beginning came *ex gratia Domini*, is now maintained by strong hands against the Lord, and what came of a voluntary consent of seruice of the Tenant to the Lord, the Lord may exact of his Tenants by law: and either in right of the custome due to other, constraineth each other to doe that, which in the beginning was of either part voluntary.

Customes are of diuers kinds, and diuersly to be performed. Some in the course of inheriting of land, some in the way of womens dowries, some in the estates of land, some in matters of forfeitures, some in workes, some in rents, some in fines, some of the Lords beneuolence in allowing his Tenants meat, drinke, money, &c. in time of their workes: as these customes in seuerall Mannors, seuerally are allowed.

Mannors themselves may haue strange commencements and continuance, as the honour of Bailly in Essex, which hath a Custome Court kept yearly the munday after Saint Michaels day, the Court is kept in the night, and without light, but as the Sky giues, at a little hill without the Towne called the Kings hill, where the Steward writes onely with coales, and not with incke. And many men, and Mannors of great worth hold of the same, and doe suit vnto this strange Court, where the Steward calls them with as low a voice as possibly he may, giuing no notice when he goes to the hill to keepe the same Court, and he that attends not is deeply amerced if the Steward will. But for particular Mannors, as the Customes of them

are many and diuers: So it behooueth euery Tenant to know whereunto he is bound by custome, if there be no auncient custome roll to leade them, it behooueth the Surueyor to renew the same, wherein he is to set downe euery Tenants name, his Tenements, lands, Meddowes, pastures, &c. the rent and seruice due for euery of them, and whether works be turned into rent, and to indent the same, that the Lord may haue the one part, and the Tenants another. The neglect whereof hath bred many inconueniences, both to Lords and Tenants.

Custum rol.

19 Whether is there within this Mannor any villaine or niese, namely, any bondman or bondwoman: if there be, what are their names, what land doe they hold, and what is the same yearly worth.

Villaines, & Nieces.

Although this kind of Tenure be in manner worne out of vse, yet some there are (no doubt) though concealed in some Mannors, neuer infranchised or manumised.

20 Whether hath any Tenant or other person within this Mannor stocked up any hedg-row, plowed up any Baulke, or land share, remooued any Meere stone, land marke, or other bound betweene the Lords demesnesse and the Tenants Free-hold, or customary land, of inheritance or betweene his Free-hold and customarie land, or between this and another Mannor or Lordship, where is any such offence committed, by whom, and where ought the same bound so remooued, altered, taken away, or displaced, to stand.

Remoouing of Meers or bounds.

This is a necessary Article to be duly considered, because that by this meanes of remoouing or taking away Meere stones and land marks, the Lord often times incurreth great preiudice: for that when a Lessee of the Lords demesnesse being either a Free-holder, or a customary Tenant of inheritance, hath land of his owne adioyning vnto the demesnesse

or intermixt, and he take away the marks of diuision, leaue the matter doubtfull which is the Lords, especially where a long lease or patent is, whereby the Tenant hath time to make alteration: and it is no new or strange thing, to attach some by name and place, that are culpable, and haue yeelded to reformation, being found out before their intents were fully ripe. And aboue all, such are most worthy to be punished, for altering any such knowne marks, vnder whatsoever pretence of ease or necessity, which is the common cloake of the mischief, vsed most in the Kings lands, wher long patents are graunted.

Cotages.

21 What customarie Cotages are there within this Lordship, tofts, crofts, or curtages: what are the Tenants names, what rent pay they, and what seruices doe they?

It is to be vnderstoode, Cotagium: signifieth as much as casam, a little house or a place of abode onely, or a little dwelling, wherunto little ground belongeth but on Orchard, garden, or some small toft, croft, or curtelage: but Cotages of themselves are not auncient, as I take it.

22 Whether are there within this Mannor, any new erected Tenements or Cotages, barnes, wals, sheddes, Honels, Heages, Diches, or such like erected, set vp, or made: or any Watercourses, or Ponds, digged vpon any part of the Lords waste, without the Lords licence: where is it, and by whom was it done, and by whose licence, and vpon what consideration.

The ouermuch libertie of too many newe erections, breedeth sundry inconueniences, not onely to a Mannor, and the Lord, and Tenants thereof, but to a whole Common-wealth, and therefore not to be permitted without good consideration: although it is most conuenient, that the poore should haue shelter and places to shroud them in, if they be found honest, ver-

tnous,

tuous, painfull, and men of abilitie, to gaine their omne and their families reliefe.

But it is obserued in some parts where I haue trauelled, where great and spacious wastes, Mountaines, Woods, Forests, and Heathes are, that many such Cotages are set up, the people giuen to little or no kind of labour, lining very hardly with Oaten bread, sowre whay, and Goates milke, dwelling far from any Curch or Chappell, and are as ignorant of God, or of any ciuill course of life, as the very Saluages amongst the Infidels in manner, which is lamentable, and fit to be reformed by the Lord of the Mannor.

23. VVhat Tenants are they within this Mannor, that doe hold any lands or Tenements by *Indenture of lease*: what are their names, what land hold they, for what rent, vnder what conditions and couenants, for what termes of yeares, or liues. Indentures.

This Article is most especially to be obserued, touching the couenants by view of the Tenants leases, but the Iurie is to find the names, and to present them with the land and rent as far as they can learne.

24. VVhether hath or doth the Lord imploy any land to *inshment*, as in taking in cattle to pasture and herbage: who hath the disposing of the same, what quantity of land is so disposed, and how many cattle will it pasture, and what is a Cowe, Oxe, Horfe, or sheepe-gate worth by the yeare, or by the weeke within this Mannor. Inshments.

Much land is thus vsed in Yorkshire, and other places Northward, more beneficially then to stocke it.

25. VVhether hath the Lord of this Mannor any customary *water-mill, wind-mill, Horfe-mil, Griest-mill, mault-mill, VValke-mill, or Fulling-mill*: VVhether is there within this Mannor any other Mill, *Iron-mill, Furnace, or Hammer*, Customes mill.

mer, Paper-mill, Sawing-mill, Sheere-mill, or any other kind of Mill: what is it worth by yeare, and in whose occupation is it?

where sufficient riuers, brookes, flagnes, ponds, or water-courses are, there are commonly some kinds of Mills, or other profitable deuices, that humane wit and inuention hath set vp for necessary vses, for the benefite of man, and for the Lords profit of the Mannor, where such deuices are erected. And yet all kinds of deuices are not conuenient in all places: as where no Lead, or Tinne is, there is no neede of the vse of water, to mooue a wheele, to blow the fire for the melting and trying thereof: yet there may be like vse for Iron oare: and where neither of them is, there may be vse of walk-mills, or Fulling mills: and where those are not, yet there may be vse of corne-mills, and such like. And in some places the force of water-courses is vsed, to raise water out of one place into another, where the naturall current denyeth the comming, and maintaining thereof: with infinite other deuices, according to the situation of the place, and necessitie of the thing required. Which, though they be not all Mills to grind corne, yet may they bring profite to the Lord, which is the thing the Surveyor should court, not onely to obserue what is already, but must haue also some iudgment to erect some, if the water-course will conueniently afford the same to encrease the Lords reuenues.

To the Corne-mil, which are custome mills, doth belong a kind of duty from the Tenants, that is, that they are bound to grind their corne at the Lords Mill: and that kind of custome is called Socome.

Socome.

Baily. Must a customarie Tenant of a Mannor, where such a Mill is, be forced to grind all the Corne he spendeth in his house, at the Lords Mill?

Sur. Of necessity, if it grow vpon the Mannor: or else the Lord may amerce him for his default.

Baily,

Baily. What if he be forced to buy it in the Market?

Sur. Surely then it is a question, whether he be bound to grind it there or not. But I take it, he is at liberty, to grind it where he will, euen where he finds himselfe best serued. For there is *bond-Socome*: that is, where the Tenant is bound by custome, and *loue-Socome*, where hee grindeth of free-will.

Baily. Wee that are Tenants would be glad, if you could tell vs, what toll our Milner may take: for wee are much abused in it, as we thinke, and because we be bound by custome, wee cannot conveniently leaue the Mill, and yet wee find no remedy of the Milners abuses?

Sur. As touching *Toll*, (which word commeth of the verbe *tollo* to take away, as it seemeth) there are so many differences, by graunts made by Lords of Mannors, that the certainty in generall can hardly be declared. Some Millers take a twentieth, some foure and twentieth part: Tenants at will should pay a sixteenth part, and a bond Tenant a twelfth part, and some are tol-free. But howsoeuer the toll be, feare not, the Milner will bee no looser. And for his abuses, you haue your remedy in the Lords Court, or at the common law.

26 VVhether hath the Lord of the Mannor any *peculiar fishing* within any riuer, brooke, mere, stagne, pond, or other water: where and how farre doth it extend, and what is it yearly worth, and who be Farmers thereunto, and what common fishings are therein, and waters within the Mannor, and how is the same vsed?

As this Article is little needefull to be propounded in Mannors wher no riuers or sufficient waters are for fishing: so it is very necessary to be examined, where such waters are. For it is daily obserued, that many abuses are committed against the Lord himselfe, by such as vsurpe his peculiar fishing,

shing, and against the Common-wealth, in destroying fish, as appeareth by the punishment ordained against offenders therein. 25. Hen. 8. cap. 7. and 31. Hen. 8. cap. 2. Therefore it behooveth the Surveyor to be more carefull in seeking the meane how to raise a profite vnto the Lord by his fisbing, then to find the present abuses which are inquireable, and punishable at euery Leete, although, if any apparant offenders be found, he is to aduertise the Lord for reformation: but not inroll the same in his booke of Suruey. For nothing is therein to be inserted, but matter of perpetuity, in recommending the present state of the Mannor vnto posterities, and for the Lords immediate use, the Court rols of the Mannor doe shew, the abuses and punishments in those kinds. And therefore besides the ordinary fisbing in small land riuers, brookes and ponds, there must bee also remembred what profite may arise by fisbing in the Sea, if the Mannor be neere it, or any creek thereof, in oysters, muscles, cockles, crabs, creuises, and such like.

Fowling.

27 Whether hath the Lord of the Mannor any Fowling within this Mannor, by meanes of any moores, marshes, waters, brookes, reedes, or such like: as of Ducke, Mallard, widgine, Teale, wildgeese, Bustard, Plouers, Bitters, Swans, or such like foule: or any woods wherin do breed any Herinsboes, Shouelers, Storke, or such like: or any Pibble, Beach, or Sea-banke, wherein breede Sea-Pyes, Oliues, Pewets, or such, who taketh the profite of them, and what are they, or may they be worth by the yeare, vnto the Lord.

These kinds of commodities are not in euery Mannor: and therefore as in all other things it behooveth the Surveyor to consider of these particulars, and giue no more vnto the Iury to be enquired of, then hee either knoweth to be enquirable, or likely by examination to bee found in the Mannor he intendeth to Suruey, yet not to omit any whereby the Lords revenues may be encreased.

8 VVhe-

28 Whether hath not the Lord of this Mannor (time out of mind) had and receiued all *waues, estrayes, felons goods, treasure found*, within the Mannor, and such like profits, and whether hath he beene answered of them from time to time truely, or not, and who is the officer that doth ouersee, and take notice of the same to the Lords vse.

Waues,
Estraycs.

Although these kinds of profits may redound vnto the Lord by prescription, yet most commonly they are confirmed by charter, and therefore the Lords euidences, together with the vse, must be examined.

29 Whether are there within this Mannor, any *Tin-mines, Lead-mines, Copper-mines, Cole-mines, Quarries of stone, of Marble, Free-stones, Mil-stones, Lime-stones, Grinding-stones, Marle, or chalke-pits, slimy or moorish earth*, fit for soyling of land, or any *Potters clay, clay for Bricke or Tile*, or any *Fullers earth*, or any *sand, or gravel-pits*, or such kind of commodities, and what is euery such kind worth to the Lord, or may be made worth by yeare.

Mines.
Quarries.

These are casualties, and seldome or neuer as al happen in any Mannor together, and few Mannors but haue some or one of them, which may be very beneficiall to the Lord, if the suruoyor be willing and skilfull to aduantage the Lord.

30 Whether hath the Lord of the Mannor any *Turfs, Peates, Heath, Broome, Furres, or Flagge*, which are, or may be yearely sold within the Mannor, and what may they yeeld the Lord by yeare, if they were impropoued.

Turfes and
Peates.

These things are not in enery country, much lesse in enery Mannor. for I thinke Essex can afford little of them, vnlesse it be of Turfes and Peates, if they were sought in some low grounds, in some creeke of the Sea, Northumberland, West-

merland

merland and those wild fields yeeld store of Peates and Turfs: so doth Yorkshire, Lancashire, & other places, many within this Kingdome, which would be very profitable to make good fuel, and save much wood.

Baily. What meane you by Turfes and Peates? are they not heath Turfes you meane?

Sur. There are heath Turfes, which are also meant in this Article, but the Turfe and Peate is of another kind: for they are taken in bogges and such rotten grounds as cattle cannot feede vpon. And those that are first cut vp are called Turfes of the vpper part, and such as are taken downeward are called Peates.

Baily. How meane you downeward?

Sur. Under the first cut: for you may cut a speares length deepe in some places in the summer time, and that kind of earth will burne very excellently. And if it be cut neuer so deepe, it will fill againe in few yeares, and then may it be digged againe, insomuch that the profite will be continuall.

Baily. Then it is beneficiall ground.

Sur. So it is: and I thinke there be many grounds would serue to this purpose, if they were sought out, where scarcity of other fuel is. But there is no greater enemy to thrift then idlenesse, and ignorance of things of vse not in vse.

Baily. You spake also of Furies, I take that to be no good fuel, but to brew or bake withall, it maketh onely a flame as dothubble or straw.

Survey. Yes: it is good fire-wood in Devonshire and Cornwall, where they make great profite in venting it for that vse, in many the greatest townes, and in Excester especially.

Bayly. Then are they better then our ordinarie Furies about vs.

Say. The Country people do call them *French Furres*, they haue a verie great stalk, and grow very high, & their prickles verie strong: but that they grow thicke, and the bodie is commonly bare to the toppes, where is onely a green bush of the tender and smal branches, and seldome elsewhere, so that they easily make them into faggots, and so vent them.

31. Whether is there within the Mannor any *Slate stones* for tiling, red or blacke Lead, or *Oker* for Marking stones.

These kind of Slate stones are full in Cotenwall, and the Marking stones most about Darbithre, & these parts Northward, as are also millstones about the Parke.

32. What Deere hath the Lord of this Mannor in his Parke, red and fallow: how many of Antler, and how many rascall, who is Keeper, and what is his Fee by yeeres whether hath he any warren of Conies, or Hares, who is the Keeper of either of them, and what Fee hath hee by yeere, and what is the VVarren of Conies worth by the yeere, and what were the Parke worth by acre to bee let by yeere, if the Deere were destroyed, and how many Acres is there within the pale?

A Parke for Deere is more for the pleasure then for the profit of the Lord, or Common-wealth, and yet fit that Princes and men of worth should maintaine them as their pleasures, yet not so fit, that euery man that listeth should maintaine that game, for his private pleasure, that depriveth a Common-wealth of more necessarie commodities. But men of late are grown more considerate, and haue disparted much of this kind of ground, and conuerted it to better uses. As for warrens of Conies, they are not vnnesessarie, and they require no rich ground to feed in, but meane pasture and craggy grounds are

Slate stones
Marking
stones.

Deere.

Conies.

fitteſt for them. It is therefore on the diſcretion of a good and truſty ſurveyor, to adviſe his Lord how to diſpoſe of theſe things for his beſt advantage. And in craggie and unprofitable grounds to keepe Counters and other things.

Repriſes
and pay-
ment.

to ſay 12
youthes
2300

33. VVhat penſions, portions, payments, or fees are, or ought to bee yeerely paid out of this Mannor: to whom are they payd, and for what, and what ~~rent~~ or annuities is there payd, or bought yeerely to bee payd out of any Mannor, or by any perſon, vnto the Lord of this Mannor: and whether hath the ſame been duly payd, or diſcontinued: what is the annuities or rent, by whome ought it to bee paid, for what thing, and how long hath it been diſcontinued.

These things are verie duly to be examined, both which goe out of a Mannor, or bee payd to a Mannor, although in many places they bee neglected, over the calling for. I confeſſe, but if ſuch payments bee denied, the Lord, to whom ſuch things are due, can hardly ſay or ſuare, for what, or in conſideration whereof they are due: and by that meanes may loſe their right, both of the payment, and ſometimes of the land, if it eſcheat, yea, whole Mannors ſometimes.

Faires.
Markets.

34. VVhether is there within this Mannor any Market weekly, or Faire at any time of the yeere kept, on what day or dayes, who hath the toll and profits of the ſame, and what is it, or may it bee worth vnto the Lord by the yeere, whether in his own hands, or let to farme, and for what rent.

Faires and Markets are commonly by Patent from the King.

Pawnage.

35. Whether doth the Lord, or may hee take in any ſwine to pawnage yeerely into his Parke or woods, what is the pawnage worth by yeere.

Bayly. Sir, you neede little to enquire of that, for Oke and Beech that haue bene formerly very famous in many parts

parts of this Kingdome, for seeing the Farmers benifits, are fallen to the ground and gone, & their places are scarcely knowne where they stood. Jam. Reges est ybi quercus erat.

Sur. It is verie true: and it is pitie, that Lords of Mannors haue no more care of their posterities. For assuredly there will bee greater want of timber in time to come in this Realme, then may bee supplied with little charge from any part else whatsoeuer. And therefore might Lords and Farmers easily adde some supply of future hope, in setting for euery 20. Acres of other land, one acre of Acornes, which wold come to be good timber in his sonnes age, especially where there is, and like to bee more want.

Bayly. The course were good, but you presire too short a timesarre: for Whes are slow of growth, and it wil be long as they come to be timber.

Sur. I know in Suffolke, where in twentie yeeres Acornes haue yeelded fruit already, neere as high as a fipple of ordinarie height.

Bayly. Truly, it is pitie it were not employed to men of abilitie and land to doe it. But I thinke men imagine, there wil be timber enough to the end of the world, as many things else presage it cannot stand long.

36 VWhether hath any of you any Deedes, Euidences, Court-rolles, Rentals, Sute-rolles, Custom-rolles, Bookes of Suruey, Accounts, or any other escripts, or monuments, touching or concerning this Mannor. If you haue any such, produce them at this Court for the Lords vse and seruice: or if you know any that haue any such, deliuer their names, that the Lord may procure the to shew the same.

Men that haue such are nice in deliuering them, but if they haue them and conceale them, they are no good tenants in not reuealing them.

Aduousons.

37 VWho hath the aduouson, nomination, presentation and gift of the Parsonage, Vicarage, or Free-chappell whereunto

whereunto this Mannor belongeth : or whether is it an *impropriation*, belonging to the Lord of this Mannor, who is incumbent of the Parsonage or Vicarage, or who hath the *impropriation* in vie, & what is it worth by yeere.

Some haue taken, and set downe a Parsonage or Vicarage to be parcell of a Mannor, but I take it otherwise: for a master of spiritual or Ecclesiasticall function, cannot be parcell of a secular lining. But a Mannor as touching the tithes, may belong to an Ecclesiasticall charge: neither doe I thinke, that an Impropriation, though it belong vnto the Lord, yet is it not parcell of his Mannor: because that ab origine, even from the first institution, it was dedicated to a spirituall office. And although the profits were after wards disposed to a secular person, yet are not the profits parcell of the Mannor.

Lords Bay-
ly.
Steward.

38 Who is the Lords Bayly, what is his name, what yerely fee hath he, & whether hath he a Patent for life, or is at the Lords will, and who is Steward of the Lords Courts: what is his fee, and whether doth hee hold it by patent or at will: who is *woodward*, and what other Officers are there within, or belonging to this Mannor, and what are their fees.

Diocesse,
hundred,
&c.

Sundry Mannors haue sundry officers: some of the Lords election and appointment, and some of the Tenants, among whom they are yeerely chosen, as *Hayward*, *Reeves*, &c.

39 VVithin what *Diocesse*, and *Deanrie*, within what *diuision* and *hundred* lyeth this Mannor: and to what place are you that are the Tenants, vsually called to doe your seruices, to muster, and to shew your Armour, and weapons: and what *Beacons* are you appointed to watch and ward at.

It were a simple part of a Surueyor, if his Lord should

ask

aske him these questions, and he should answer, I cannot tell: and yet are they things fit for the Lord, to bee acquainted with, upon sundry occasions.

40 What *Market Towns* are needest vnto this Mannor, and what commodities are there especially vented at euery of them.

Market
Townes.

This is also necessary to be known of the Lord, that dwelleth remote from his Mannors, for many reasons. Thus much for the charge.

Euery Surueyor is in discretion to order his owne busines, and none is tyed to this method of charge: yet hee must take the substance of these Articles, or such and so many of them, as in his conceit (guided by some foreknowledge of the state of the Mannor which he is to suruey) are fittest to be deliuered vnto the Iurie; and withall he is to explaine vnto them the sense and meaning of euery Article more at large, then he will giue them in the letter. And hauing thus finished the charge, I hold it fit to giue the Articles in writing vnto the Iurie, to the end they may answer their knowledges, to euerie of them in writing. And because the Iurie (perchance) cannot so methodically set downe their owne plaine meanings, as is fit to be ingrossed in the Lords booke, the Surueyor must correct the former, still keeping himselfe within the compasse of the meaning of the Iurie, and then to reade the same vnto them distinctly, that they may allow or disallow the same: and because they shal haue sufficient time, to consult and deliberate vpon euery Article, they may haue day giuen them, vntil such time as the Surueyor doth thinke he shall finish the Perambulation, and view of the Mannor in sort as hee intendeth, and then to take their verdict, and accordingly to ingrosse the same together with his owne priuate necessary obseruations.

Notandum.

Euery Surueyor is to vie his owne method.

Im-

Immediately after the charge thus ended, the Surveyor is to make proclamation, in the name of the Lord of the Mannor, that euerie Tenant doe presently produce his *Verds, copies, leases, and other Euidences*, to the end that the Surveyor and his Clarke may enter them roughly in a booke, and afterward inroll them faire in a booke of Parchment for continuance.

And if any man make default he may finde it by the Catalogue of the names of the Tenants, which he must take at the beginning of the Court and crosse them as they bring their Euidences to bee entred: the manner of which entries doeth briefly follow.

Intrationes omnium & singularum chartarum, Copiarum, Indenturarum omniumque aliarum Evident, tenentium, ibidem facta tertio die Nouemb. Anno Regni Domini nostri Iacobi, Deo gratia, magnae Britanniae, Franciae & Hiberniae Regis, fidei defensoris, &c. 4. Vt sequuntur, viz

Charte

Chartæ Liberorum tenentium.

W. P. de F. in Com. M. Yeoman, per chartam dat. tertio die Martij, Anno regni Henr. 7. secundo, tenet libere sibi & hæredibus suis (if it be intailed, then according to the limitation) ex donat. R. S. vnum mesuagium siue tentm. vocat. Whytlocks, situat. in quadam venella vocat. Potters-street, inter mesuag. R. L. ex austr. & quadam viam vocat. Loue-lane ex parte Bor. abuttan. super magnam communiam vocat. Hownes Moore in Occiden, & super com. campum, vocat. Beggars Bushfield in Orientem, & continet in longitudine quadrgint. pertic. & in latitudine nouē pertic. & dimid. vnum clm. prati. vocat. Mosse meddow. cont. per estimat. quinque acr. & quinque acr. prat. iac. in commun. prat. vocat. Colliers meade, & tres clausur. terræ arabibilis insimul iacent. vocat. Bathyes, continet in se in to. per estimat. decem acr. vnum clm. pastur. vocat. Abbots close, iacent. &c. cont. per estimat. tres acr. Quod quidem mesuagium pred. R. S. nuper perquisiuit, de quodam A. B. habend. &c. per redd. vnius libr. Piperis, & per seruic. inde debet. & consuet.

1. libr. Piperis.

In hac forma cetera omnes irrotulentur chartæ, secundum particularia in eisdem specificata.

R

Copia

COPIÆ CVSTVMA. riorum Tenentium.

B. C. per cop. Cur. dat. nono die Maii
 An. regni Elizab. 3^o. tenet exsur-
 sum redditione. W. R. vnum tentm. ia-
 cent. in quodam vico vocat. Church-
 street, int. &c. (according to the but-
 tles) & unam clm. terræ voc. Haywood, 2 shil.
 iac. &c. cont. per estimat. duas acr. v. 6. pence.
 num pratum vocat. Deare meade, cont.
 quinque acr. & decem acr. terr. in com.
 campis. Habendum sibi & hered. suis
 ad voluntatē Domini secundum consu-
 etudinē Manerii, & dedit Domino pro
 fine 3. pounds, 6. shil. 8. pence, & reddit
 per annum.

If the estates be for lines, as in the most Mannors in the
 west, then the entries of the Copies must bee according to the
 words of the copie: and at the foot of the entrie of euerie co-
 pie, it is fit to set downe the ages of the tenant in possession,
 and of them in reuersion.

Also it behooueth a Surveyor in the entry of all Deeds and
 Copies, to set downe the names of all mesuages and tenements,
 and

and the names of euerie particular close, and parcell of land, as they are set downe in the Copie. And not onely the present tenants name, for two, three, or foure descents, if it be expressed in the copies.

It is a fault in some Stewards, that in making out Copies, doe set onely downe the name of him that surrenders, and the name of him to whome the surrender is made, without further relation of any former tenants name, and do also set down the messuage, without setting downe the particular parcels of land belonging vnto it, vsing onely generall words, which in all things import incertaintie. whereas, if hee did well, hee should obserue and set downe euerie parcel both in qualitie and quantitie: namely, what is meadow, pasture, arable, wood, &c. with the principall buttes and bounds, by the Surueyors booke. But for want of true surueys many beneficial things are omitted, and many hurtfull committed.

De intratione dimissionum, siue Indenturarum, in quibus ea quæ sequuntur, obseruanda sunt precipue.

Dies mensis & annus.

Partes, inter quas facta est Indentura.

Consideratio concessionis.

Particularia, quæ per Indenturam traduntur.

Habendam, cum termino annorum aut vitarum, pro quo aut quibus conceduntur.

Redditus, & tempora solutionis.

Clausula distributionis, aut foris factura.

Conuentiones, & Prouisiones breuiter sed distincte.

Quomodo obligatur ad warrantizandum Concessor, &c.

This suffieth for the forme of the entrie of Deedes, Copies, and Leases.

Bay. Is this all that is required in the making bp of a booke of Suruey?

Sur. Some think it sufficient to come into a Mannor, and to call the tenants, and to cause them to shew their euidences, and to enter them, and so to giue the Lord a booke of the estates, and thinke they haue done a great worke. Which is as much as if a Caterer should provide meat, and the Cooke to send it to the table rawe for his Lord to eate. The Caterers office doth as much towards the Lords diet, as the bare knowledge of the estates of a Mannor, doth towards the performing of an absolute Suruey. Yet is the Caterers office, a good inducement, and without his prouision the Cooke can doe nothing: and without the knowledge of the estates, a Surueyours trauell is to little purpose.

Bayly. Yet you will enter euery mans particutar land againe, will you not? notwithstanding the entring of their Euidences?

Sur. It must be so, after the view had, and made of all the Mannor.

Bay. What else require you at my hands to be done then at this time? for I perceiue you haue giuen the Iurie their charge, and limited them a day to bring in their verdict, and you haue sene and entred all the Deedes, Copies and Leases of the tenants which haue appeared. What will you now doe in the meane time?

Sur. I must now command you (the Lords Bayly) to appoint me some sufficient tenants, to accompanie mee in the perambulation and description of the Mannor.

Bayly. What, will you make a plot of the Mannor?

Sur. It is verie expedient and necessarie for many causes,

Tenants
must accompanie
the Suruey
in his
perambu-
lation.

ses, which I shewed you in our first conference.

Bayly. Will you doe it by instrument?

Svr. Yea.

Bayly. Then you neede the lesse helpe, for you will vse no chaine.

Svr. I wil, and it behooueth to vse the chaine, notwithstanding the instrument.

Bay. I haue heard some of your profession say, they could plot out a Mannor, and neuer vse line or chaine, with the instrument.

Svr. A Painter can by his art delineate the proportion of any creature, without vsing perspective glasse, or a compasse, euen by the eye and serious obseruation: so may a man, hauing the true vse of any topographicall instrument by rules geometricall, describe a Mannor in a kind of forme, without line or chaine, or other measure. But if he will say he doth, or that he can truly delineate a Mannor with al the members, as euery streer, high-way, lane, riuer, hedge, ditch, close, and field, in forme with true curuings, angles, lengths, and breadths, so that by the plot which he so maketh, a stranger by scale and compass may truly finde the quantities of the particulars, I will then say he is a rare bird, & to be admired, because I must needs speak as I find, that it is a matter both vnecessary and vnprofitable: vnecessary, because it is as if a man should build a house, without pinne or naile, by ingenious excellent geometricall conclusions, to magnific art, when with more certainty it may be done by the ordinary aid of pins, and nailes: and it is vnprofitable, because it will require a ten-fold time more the the ordinary course of the instrument or chaine. And yer when *curiositie* hath done all that it can in this behalf, he shall find (though the conclusions be true) the worke false.

A plot of a
Mannor
necessary.

Vaine-
glorious
Artists.

Baylie. When I perceive, there be some braine glorious of your profession: for some haue not stucke of late to write, and some professe, that they can performe it truely. I haue seene one come into a felds, and set his instrument in the middle, or in some part therof, and hath taken vpon him immediately to say, the content is thus much.

Sur. I haue heard one also to say, he can keepe all the commandements of God, and erre no iot in any.

Baylie. I see on him that will assume that power, that was peculiar onely to Christ.

Sur. The like vaine glorious is hee that so assumeth vnto himselfe admiration, who may be more admired for his presumption, then for his truth in performance: for a peece of ground cannot lie in any such forme, as he with an Instrument at one station can finde the quantitie though he may aime at it at two stations: but a peece of land may so lie as he shall erre, let him take as many stations as he can, and yet he must measure betweene his first two stations at the least, and toyle himselfe and his companions, more then if he went the true course of Arte and Reason.

Baylie. That you meane by stations, I am not acquainted, but I hold the plainest way, the truest way in all conclusions, if Art and Reason bee not against them: and sith the chaine, I perceive, is necessary to bee used with the Instrument, I will promise you helpe, both for your aide in that behalfe, and for your information, hoping that you will not be against me to vieto your manner of working: and if I doe aske you a question now and then, for my better satisfaction, you will not be curious in aduising.

Sur. I will not onely not be curious, but I will gladly impart my poore skill vnto you, if you be willing: and I will bestow demonstration, if you will affoord attention and practise.

Bay-

Baylie. What call you this Instrument?

Sur. Some call it the *Plaine Table*.

Baylie. Is there no other Instrument used in plotting of ground?

Sur. Yes, according as men of skill doe fancie.

Baylie. But which doe you approue most? for as there be diuers, so men diuersly affect them?

Sur. Affection is often blinde, and it may misleade a man, but reason seldome or neuer: and therefore he that can maintaine the credite of that he affecteth by sound experience and reason, I hold that a fit instrument for his vse: there are but two principall instruments, fit indeede for the plotting of grounds, and that is this that hath the name of a *plaine table*, and the *Theodelite* which somtimes I vse also.

As Instru-
ments are
diuers, so
men diuers-
ly affect
them.

Baylie. But I haue seene many, & diuers formes of Instruments, and are they all comprehended vnder these two names?

Sur. No, they haue sundrie names, but they are all grounded vpon like principles: and as a man may make sundry kinds of clockes, one differing in a kinde of forme from other, and call them by diuers names, yet they are all founded vpon one ground: and as euery clocke bringeth forth like effects, as to strike & to distinguish times; So these Instruments, though they differ in forme and name, yet they produce like effects, if they tende to this part of *Geometry*, which is most principally called *planimetry*: namely, the measuring of the length, and bredth of any thing, as of a Mannor, and of all forts and formes of grounds.

All instru-
ments haue
one ground

Planimetria

Baylie. But I haue heard of an Instrument called a Circumferentor, which some doe vse about this busines with high commendation.

Sur.

Sur. It is true, it is a new name giuen to the very *Theodelite*, vsed in a sort otherwise then the *Theodelite*, but not contrary. For as the working vpon the *Theodelite*, is performed by reducing the needle alwaies vpon the point North, as it is marked in the boxe, the *Index* turning to the degree, and poynting out the line of oppositions: So the *Circumferentor* having his *Index* fixed, pointeth to the opposite, and the needle falleth at aduenture vpon some degree marked in the boxe: And the difference is onely in the protraction: for where the one protracteth the worke, by the degrees, found by the fall of the wandering *Index*: so the other protracteth from the degree, whereupon the needle falleth.

Baylie. This differs as much, as if the bell should strike the hammer to make it strike: where it is more ordinary, that the hammer should strike the bell: but if the sounds be like certaine, and sensible, it makes no great matter whether one strike the other. And if either of these instruments will performe the worke, let men vse whether they list. But I pray you, let vs proceede in our intended businessse: we haue company sufficient both for your instruction of euery mans land, and to aide you to carry the chaine: as for your instrument, I will carry. Is it much materiall where you begin?

where to
begin to de-
scribe a
Mannor.

Sur. Truly no: yet I hold it most fit to begin about the middle of the Mannor, and then to take a course, as the conuenient lying of the land will mooue vs, or at one end or side, all is one.

Baylie. Then I thinke here is a conuenient place to begin the businessse: here is a spacious waste, and nere about the middle of the Mannor.

Sur. I pray you then set down your instrument there.

Baily. What will you doe with that paper, Sir?

Sur. I must fasten it vpon the Table; that as I goe, I may draw out the forme of euery particular.

Baylie

Baylie. But what is that brasse ruler, that you haue taken out of the case?

Sur. It is the Index of the plaine Table.

Baylie. Wherefore strike you that line vpon the paper, throughout the Table, at aduenture?

Sur. It is a *meridian line*, vpon which, at euery station, as you shall see, I lay the index, obseruing to lay it alwaies alike, least I mistake the North point for the South and the contrary.

Baylie. Wherefore serueth this great box, and needle vpon the middle of the Index.

Sur. It directeth to set the Table alwaies precisely vpon one point.

Baylie. Must it stand alwaies one way, and direct alwaies to one point: how then can you find the true curuings of the angles?

Sur. When the needle of the Index standeth true, as I take it now it doth: looke vpon it.

Baylie. And indeede, it is right ouer the line.

Sur. Then I pray you, let me haue one to goe before mee, alwaies to stand with a marke at euery angle.

Baylie. There is one gone.

Sur. I see him: Loe, I stirre not the Table, now it is truly rectified, and vpon this line I make a pricke, which is the very station where the instrument is supposed to stand: and now for this prick, laying the Index hard vnto it, I by the sight of the Index, lay it vnto the marke, which is set vp in yonder angle, let him not remooue it till I come to it: and then as you see, I draw a line from the pricke by the Index as it lyeth truly and firmly to the marke. Come on with the line. How many stickes is it?

Baylie. Sir: it is 25. stickes.

Sur. That is 75. pole.

Baylie. Is your chaine thre pole?

S

Sur.

The manner of describing.

Sur. Yea.

Baylie. Oh Sir, what doe you now with your compasses, that you first laid to your Index, and after to the paper?

Sur. I lay out the true distance, which is from the place where we begun, to the place where the marke standeth.

Baylie. How doe you know whether you strike that line too long, or too short: doe you adme at it, as a man would deuide a thing in diuers parts by his eye?

Sur. No, there is in all arts sundry parts, and euery part hath his seuerall practise. A man is not presently a Musitian, as soone as he can say his *Gammooth*. There are steppes and degrees to euery perfection. But this little note that you take hold of, is not the least of the practise in this faculty.

The vse of
the scale.

Baylie. What call you it? For as Arts haue diuers parts, so euery part hath his seuerall denomination.

Sur. And this whereof we are now in hand, is called *the vse of the scale*.

Baylie. I pray you, if I trouble you not too much, let me see the demonstration.

The deu-
iding of the
scale.

Sur. You see in this Index diuers inches, diuersly deuided: one you see, is deuided into 16. equall parts, another into 20. another into 60. these are called scales of ascending, or descending, to a higher or lower computation and extention, according to the number of perches found between station and station. This (as you see) is 75. pole, and the scale or deuided inch, which I haue chosen, is 20. as you see the inch so deuided.

Baylie. But how can you take 75. out of 20. for that you say is your scale?

How to find
the number
of perches
in the scale.

Sur. I cannot take a greater out of a lesser: therefore you see mee apply my compasses to more inches then one, though some of them be deuided in more or lesse, I must conceiue

conceiue euery inche in the whole index to be 20. Then I lay the one foot of my compasse ouer 3. inches, which maketh 60. then I lacke 15. to make 75. Therefore I set the other foote of my compasse into the scale of 20. and reduce it onely to 15. which 15. and the three inches next adioyning, being imagined 20. a peece, makes 75. And as you see the compasse thus spred, I apply it without altering, to the line, which I drew from the first pricke, and where the other foote of the compasse falleth, there is the second station: namely, the place where this marke standeth.

Baylie. Truly Sir, I thanke you, I conceiue it well: for I perceiue, I must alwaies account the inches, not as they are in themselves deuided, but euery of them 20. And if it be vnder 20. then I must referre mee to the very scale it selfe, which is deuided 20. and take the number out of it: and if it be aboue 20. I must take the next inch or inches to the scale, and take the odde out of the scale it selfe.

Sir. If your suddaine apprehension haue as strong a retention, you will doe well: but commonly quickest conceites doe soonest forget. Therefore must you often chew it in your mind, and apply it to your memorie, and and as we passe in this businesse, you may make some vse of my practise.

Quick conceites
soone forget.

Bailly. Sir, I thanke you.

Sir. What call you this Common?

Bailly. Perethat are Tenants, and are swozne, enforme the Surueyor.

Iurie. Sir, it is called Water-hurst Common.

Sir. So, you that carry the marke, I pray, goe to the next angle, and set vp your marke, and stirre it not till I come. Bailly, set downe the instrument againe, heere where the marke stood.

Baylie. I perceiue you lay the Index vpon the line againe:

and

and then you turne the Table, till it be by direction of the needle, North and South, as before.

Sur. I doe so.

Baylie. But why doe you now lay the Index, and by it looke backe againer?

Sur. Onely to try whether the needle be right: for if the Index from this last pricke, doe fall truely vpon the first station, then may I be bold that I shall make the next angle true.

Baylie. I haue sene some haue one to stay alwaies behind at the last place whence you come, and so the Surveyor lookes backe to make his next angle.

Sur. Some doe so, but it is more troublesome: for by this kind of working by the needle and the meridian line, a man may make the angles right without any backe opposite.

Baylie. It is farre the better, more easier, and speedier working, as I take it, now you lay the Index to yonder marke before you, and the line that you haue stricken from the last pricke, is the line that directeth to it: but because you knowe not yet how many pole it will be, you omit, applying your compasses to the scale, untill you come to the marke, and know the number of perches.

Sur. I must doe so: now come on with the chaine. How many pole is it in the whole?

Baylie. 37. pole: I see you take almost 2. inches for this number, namely one entire inch, for 20. and 17. parts of the scale of 20. which in the whole maketh 37. and I see truely, as 37. is the halfe almost of 75. so is this last line, the answerable halfe of the first, and the angle falleth out in the paper, just alike vnto the angle of the field. Surely this is a perfect way, and I conclude the doing of it very plainly.

Sur. Then we may goe on the faster: for this doth a little hinder our businesse: but if you thinke fit to aske any question, doe it freely, and I will answer you willingly.

Baylie

Baylie. When I come to any doubt, I will be bold, Sir: now wee haue gone round about the Common of Water-hurst, and you haue closed it vp as rightly like it in forme, as one forme may be made like another: Whither will you goe next.

Sur. Into the next field. What field call you this?

Iuric. Dre Lease.

Sur. Whose is it?

Iuric. Thomas Turners.

Sur. How doth he hold it?

Iuric. He holds it by Cope of Court roll.

Sur. It is Meddow.

Iuric. Yea, as we call it byland Meddowes.

Baylie. I perceine you write the names of the Commons and closes you take, and the name of the owners and occupiers, and the qualitie of the ground, and how it is held in euery particular close.

Sur. I must of necessitie doe so. for memorie may not be trusted to retaine so many things, as are to be noted in this businesse.

Baylie. I pray you proceede to the rest.

Sur. What riuer call you this?

Baily. Will you haue the names of the riuers too?

Sur. Yea, and the name of euery other particular else whatsoeuer: for it is very materiall, whether it be riuer, Brooke, lane, high-way, crosse, tree, pond, hil, hedge, corner, gate, stile, grauell, or sand-pit, meere stones, baulkes, land shares, or any matter or thing memorable, because they are often mentioned in records, battes, boundaries, deedes, copies, leases, and to distinguish betweene land, and land, Mannor, and Mannor, parish, and parish, and such like.

The names of all particulars are to be set downe.

Baily. Indeepe, I perceine it is very materiall to remember them all: this riuer indeede is called Otter-brooke, and is indeede the bounds betweene this Mannor of Beauland and

the next Mannor.

Sur. VVhat call you the next Mannor, on the other side the river?

Baily. The Mannor of Littleton. But will you obserue the names of all the Mannors, that border vpon this Mannor.

Sur. Yea, of necessity, and whose Mannor it is: for it were a simple part in me, to take the circuit of this Mannor, and if the Lord should aske mee what Mannors lay about it, I should answere, I cannot tell: it is fit the Lord should know who were his neighbour Lords, and what Mannors were neere him. VVhose is the Mannor of Littleton?

Baily. The Kings Mannor: and therefore whether you may boldly set it downe, you may be aduised.

Sur. There is no feare, where is no purpose of offence and in this it is not only not offensive, but expedient that the true bounds, meeres, and markes of diuision, between Mannor, and Mannor, should be obserued, and set downe, that either may knowe how farre his owne tenderth.

Baily. It is I confesse, very necessary. But Sir, how will you doe now: here is a great pond, through which you cannot measure, how can you find the bredth of it, that when you come to the other side, you may take the iust distance: for as I conceiue, if you should lay it downe by your scale, as you call it, too farre, or too short, you should bring all the land nere it out of rule, making it either too much or too little.

Sur. I perceiue you vnderstand well, for you say truly. Therefore if you obserue what I doe, you shall find that I will not commit that error much sensible.

Baily. How, I pray you?

Sur. You see how the instrument standeth, truely erected as before, and you see a little Mole-hill vpon the

Confining
Mannors
are to be
noted.

further bancke of the pond: I lay (as you see) the Index vpon it, and take it for my marke iust in the middle of it, and from this last station I strike a line at aduenture, in the extention, but truely vpon the marke: then without moouing the instrument, I turne the Index from this station, where the instrument stands, vnto the staffe which the marke-bearer hath set vp yonder, and strike likewise a line to it, as you see: now I measure from this station to the staffe, and I find it is 16. perches, that you see how I take it with my compasses vpon the scale, as I shewed you before, and where the foote of my compasse falleth, there is the place where the staffe standeth. Now see, I erect mine instrument againe, and then I place my Index vpon this place measured vnto, and turne the same vnto the middle of the former Mole-hill, and you see, that the Index doth crosse the first line, and I draw a third from the place of the staffe, to the Mole-hill, and it crosseth it, you see, at this place, then I find, that the very point of the crosse lines is the place of the Mole-hill.

Baily. But how know you by this, how farre the riuer or pond is ouer?

SMY. I will tell you presently. Lo, I lay the one foote of the compasse vpon the first station, and the other vpon the pricke of the Mole-hill: and now marke, I lay the compasse, without stirring the feete, vnto the scale, and as you see, it taketh three inches and a halfe: therefore I lay the compasse so, as the one foot may rest vpon the scale, which I haue chosē, which is the inch deuided into twenty parts, and that you see, is iust in the middle of the inch, which is ten perches, and the other three whole inches, are twenty a peece: so the whole bredth of the pond is 70. perches, deducting as much on either side, as is betweene

twene the brincke of the pond, and the markes on either side, because I could not plant mine instrument so neere the water, but that some space must be of necessitie betweene.

Baylie. I vnderstand this well: and I see, that by this rule a man may take the distance of a place farre off, and neuer measure to it.

Sur. So may you, and to tell how farre distant diuers things are one from another, though neither of them be neere you. But for these things, if you couet more instruction, you may referre you to diuers in London, or else where, that are practizers and teachers of these Geometricall conclusions: for now time will not serue, neither for me to teach, nor you to vnderstand the things at full, which are required in the Mathematickes, where of this is but a part.

Baylie. I thanke you for your present willingness: when better your opportunity and leisure will permit you, I will be bold to trouble you further, and I will be thankfull, I will not now let you: I pray you procede.

Sur. What house is this?

Baylie. These men of the Jury will tell you better than I: for I am but a stranger heere to speake of, and I dare not be too bold to speake either by gesse, or by report, of things which must be recorded to posterities.

Sur. You doe better to forbear, and to be silent indeede, then to speake what may leade vs into error, as many busie and forward fellowes doe, to the hurt sometimes of the Lord, sometimes of the Tenant. And some Surueyor ouer credulous, will take their raw reports for matter of record, and so leaue doubts or vntruthes to them that shall come after. But what say you that haue beene sworne?

Iurie. The name of the house is Fullers: but why it is so called, we cannot tell.

Sur.

They that
informe,
must know
what they
say.
Raw reports
without
knowledge,
are vnfit to
be recorded
Houses are
called after
the names
of Tenants.

Ser. It is so called (no doubt) of some former tenant of that name: for houses and farmes are oftentimes called after sundry names, according to the varietie of the tenants names: and it is a good course to set down all the ancient names of a farme, because in ancient records, names are found both of farmes, and closes, and such like, that are out of knowledge, for want of the continuance of expressing them in their Copies, Deeds, Leases, Rentals, sure Rols, and custome Rols. But whose is the house now?

Jury. It is now in the tenure of William Sands.

Ser. How doth he hold it?

Jury. By Lease for 21. yeeres.

Ser. VVhen I come to any of the land that belongeth to this house, let me vnderstand it: for it is convenient to mention, in setting downe euery peece of ground, to what house, farme or tenement it belongeth.

Baylie. Here you are now come to the Lords wood.

Ser. What call you this wood?

Bayly. I take it, it is called Frith-wood.

Ser. It is parcell of the Lords demesnes, is it not?

Jury. It is so, Sir.

Ser. Heere are good timber trees, wee will number them.

Bayly. Number them: how is it possible to number them, they are so many, and stand so thicke?

Ser. I confesse (especially if it bee thicke of bushes and underwoods) there is difficultie in numbring them: yet if you will follow my direction, wee will come neere the number.

Baylie. How, I pray you: wee will all giue any ayd we can.

Ser. Then goe you along by this hedge, and when I

To number trees.

bid you stand, stand you still: and let another goe vp this path, and when he comes right against you, let him stand: likewise another must stand here at the end of the wood, and must not mooue, vntill I call him to remooue: and I and my man wil account the nūber of the trees, that are within the square, which you three and the corner of the wood doth make. Sirra, goe you along by the hedge, and let your eye be alwaies vpon the trees that are betweene vs, and as you see mee mooue, so mooue you: and I wil number the trees as I goe. So, now call away the man that stands at the end of the wood, and place them again in another square, and do as before: and so from place to place, til all the wood be viewed, and the trees numbred.

Bayly. To what end is this? what is the Lord the better, to know the number of the trees?

A Surveyor
should seek
to know the
number of
timber
trees.

Sur. How soeuer the Lord be pleased to thinke of the seruice, a Surveyor ought to know it, that when he shall be demanded of the Lord, what hee thinketh the wood to be worth to be sold, he may be able to answer it, and giue a reason for that he saith, and not to speak at random or by gesse, without some ground of reason or prooffe. For how can a man value a wood, when hee knowes not what crop it beareth? For a wood may haue an hundred trees in an acre, some woods not twentie, some not five, and therefore it were great negligence in a Surveyor, that would passe by a wood of the Lords, and would not take note of the trees, yea, and of the reasonable value of them one with another, that he may readily be able to satisfy the Lord, when he shal demand the Surveyors opinion, though he cannot answer precisely, yet neere.

Bayly. You say truely: But what if there be no trees at all in the wood, as here is a wood adioyning, called Buckes-grove, that

that hath the name of a wood, but hath no trees at all.

Sur. Then is it vnderwood, which must be considered in another kind: for there is difference betweene timber trees, and vnderwoods: for an acre of timber trees may be worth forty pounds, and far more, or much lesse, when an acre of vnderwoods cannot lightly exceede five pounds, and may not be worth twenty shillings. Therefore must the Suruey or bee heedfull, I say, to note what trees are among the vnderwoods, and must also haue skill to iudge of the values of the trees: namely, to iudge what a tunne of timber, or a load is worth, and how many loades a tree will make. And because this is not alike in all places, he must bee carefull to obserue the plentie or scarcitie, the vse and little vse of timber or fire-wood in the place where he is to deale, and accordingly in discretion to iudge of the values of that hee hath in hand, else may hee deceiue himselfe and his Lord much, if hee prize wood in the *wield of Suffex*, as it is worth about *Salisburie plaine*.

Bayly. Sauing your spech, the like is to be considered in the letting and sale of Land.

Sur. It is true: we haue had a good walke betweene these two stations, and a long discourse of woods. But methinks I see a quarry of very good stone here.

Baylie. Yea Sir, heere is both excellent fre-stone, and good Marble, and as we shall goe, you shall find diuers sorts of minerals and earths: which you cannot note vpon your plot, because they are things hidden vnder the earth.

Sm. Yea, but I wil (for so I ought) set down in the plot, the places where euery of these comodities are found. But for the matter and substance, and the profite and value, I know the Iurie will bring in, in their verdict: for they are all giuen the in charge, and as I shal find in mine

Difference
between
timber
trees and
vnderwood.

The place
to be con-
sidered.

To note
speciall
places of
profit.

owne opinion, I will likewise compare with the Iuries, and so set it downe for the Lords instruction.

Baily. These things are necessarily given in charge. But here is a Mill. Sir, will you take note of it vpon your plot?

A good water-Mill, an ornament to a Mannor.

Sir. In any case: for it is not the least ornament of a Mannor, a faire streame and a well conditioned, and well wrought Mill vpon the same. In whole vse or occupation is this Mill?

Baily. It is one G. Johnsons.

Sir. By what right?

Baily. Let them of the Jury speake.

Iurie. He holdeth it freely for a pepper corne a yeare. But it was parcell of the Lords demesnesse, but he sold it: and it was a custome Mill very profitable.

Not good for a Lord to alien his custome-Mill. Humor and Necessity, two Emperors opposite.

Sir. He that perswaded the Lord to sell away his custome Mill, had little respect to the Lords profite or royaltie: the profite comes easily, and the custome confirmeth the antiquitie of the Mannor. And such a member of a Mannor, I would wish none to put away: But *humor and necessitie*, are two opposite Emperors: the one commands, willeth, and doth what he listeth, the other forced to doe what it would not. And therefore men that may doe what they list, and will doe what they may, if they erre to their owne hurt, are not to be lamented. But they that are constrained to doe what they would not, to their prejudice, I pittie them. But I take it, we haue neere troden the whole Mannor.

Cottages on the waste.

Baily. Almost indeede. Here are some few closes more, and then an end.

Sir. But here are certaine cottages, me thinks, builded vpon the Lords waste.

Baily. Yea, but let them passe, neuer meddle with them.

for they are onely shelter for poore people, and yeld the Lord little or noe commoditie, and therefore spare labour of observing them.

Sur. Nay, it is a parcell of my taske, I must omit nothing, that may enforme or benefite the Lord.

Bailie. Be it then as you wil.

Sur. What are wee now at an end?

Bailie. Ponder corner is the last: for it is the place where you began in Water-hurst common.

Sur. So: then wee wil retire.

Bailie. What will you then command to be done?

Sur. Cause the Tenants all to appeare, and let the Iurie bring in the verdict.

Bailie. The Tenants are at the Court house, and the Iurie ready with their verdict.

Sur. I will goe with you and take it: call the Iurie by poll: make proclamation.

Bailie. They all appeare.

Sur. You sworne men of the Court of Suruey, haue you agreed vpon the Articles that were giuen you in charge, and are you prouided with answer vnto euery of them in writing?

Iurie. Yea Sir heere it is fairely written.

Sur. You haue well done in your endeouours, though peraduenture, there may be defects in the forme of your answers, yet if you haue obserued the maine purpose, which is the seeking out, and the deliuering the truth, you haue discharged the parts of honest Tenants, and men fearing God. And because that it may bee, some things may be omitted, which you may now instantly call to minde: blush not to declare it heere, before you be depriued of that you haue written: for this paper I must haue, and that vnder your hands.

The Iurie
must sub-
scribe their
verdict.

Jurie. What neede we set to our hands?

Sur. Because if I erre from it, your hands shall testifie against me: if you haue erred, and I erre through you, your hands shall iustifie me.

Jurie. The thing is reasonable, we will subscribe.

Sur. Now will I read the articles of your charge, and to euerie Article your answere, that you may yet correct or adde what shall bee thought fit, and therefore I pray you listen.

Jurie. Read you Sir.

Sur. You agree to all these things willingly, whereunto you haueset your hands.

Jurie. We doe so, and doe here confirme it by the deliuey thereof, by our foreman in the name of vs all, to the behaue of our Lord. And what you else require at our hands, we are ready to performe.

Sur. You doe kindly, and like dutifull Tenants, and be you assured, that your forwardnesse heerein shall not be concealed from the Lord, but with true report of your indenors for the furthering of the businesse, which cannot but draw a kinde consideration from the Lord againe to you. Which both to gaine for you, and to retaine it, I will truly doe my best: and so for this time, I will leaue to trouble you further, vntill I haue set my other collections, which I haue taken in the perambulation of the Mannor, in some order, then will I bee bold to trouble you againe, to the end that you may all approue, what is done, whether I haue truely set downe the particulars: namely, the Lords demesnes, the free, copie, and leasend lands, vnder their true names and due owners: if not, that by your helpe I may reforme it, before I ingrosse it, to continue to your children. For what wee doe, will be hereafter a light vnto them that shall come after you:

and

and if it should be erroneous, it would bee preiudiciall to your posterities.

Jury. I pray you therefore, let there be an examination, and we will gladly giue both our attendance and best ayd to perfect it.

Bayly. I shall then make an O yes, and adiourne the Court, untill they haue notice againe.

Snr. Doe so.

Bayly. You will now keepe your chamber, vntill you haue made your collections perfect, and cast vp the land.

Snr. I purpose so.

Baylie. I would gladly see the manner of your casting vp of the acres as you doe it: for the rest, I shall see, when you haue done. For the Iuries examination, I will leaue you till the morning, and then will I come to your chamber.

Snr. Do so.

The end of the third Booke.



71

collected from the same area as the other two.

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For the full report of the

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

Ball. A small black larva, 1.5 mm. long, 0.5 mm. wide, 0.5 mm. high, with a black head and thorax, and a black abdomen. It is found in the soil, and is a common pest of the corn.

you should not be surprised to find that the same is true of the other two. The same is true of the other two. The same is true of the other two.

and then to your chamber

2m. Dolo.

The end of the third Book.



The Surueiors Dialogue, shewing the
maner of casting vp of sundry fashions
 of Land, with the Scale and Com-
 passe, with Tables of computation
 for ease in accompting.

* * *

THE FOVRTH BOOKE.

Baylie.

I See you are busied, and I perceiue
 you are casting vp the quantitie of
 this square peece of land.

Sur. So I am.

Bay. Why,
 I take it, is
 plain and ea-
 sie to be mea-
 sured.

Suruey. I
 pray let mee
 see your skil,

what containeth it?

Baylie. I thinke, if I were vpon the ground, I could tell
 you: but vpon the plot I cannot, because I remember, you
 doe it by your scale. I would gladly see the vse of it, and how
 you apply your scale to the perches: and if I saw it once, I
 thinke I could then gesse at it. Where is your scale?

V

Sur.

Sur. This that you see like a ruler decided.



Baylie. If you will give me leave, and if I trouble you not, I will try how nere I can come to it. I apply the compasse to the one side of the figure of the close, and then letting the compasse stand, I lay the compasse to the scale, and I find it is inst one inch, which is $\frac{1}{2}$ of the whole scale: and as I remember, you made your scale twenty perches to an inch.

Sur. You say right, and your apprehension is good.

Baylie. Then is the one side 20. perches. And hauing laid my compasse to the rest of the sides, I find them twenty of each side. What now is to be done?

Sur. Multiply the one side by the other.

Baylie. Then I must say twenty times twenty, that makes foure hundred perches. But now am I at a stand againe, how shall I know how many acres is in this figure?

The parts
of an acre.

Sur. You must know, that there goe 160. perches to one acre, 80. perches to halfe an acre, 40. perches to one roode, which is $\frac{1}{4}$ of an acre, ten daies worke to a roode, foure perches to a daies worke, 18. foote and a halfe to a perch.

Baylie. Then I perceiue, that as many times as I find 160. perches in 400. perches, so many acres the p[ar]ce is, and if the ouerplus come to 80. perches, it makes halfe an acre more, if ts forty, one roode, if to foure perches, a daies worke: and so according to the odd perches, it maketh parts of an acre.

Sur. You take it rightly.

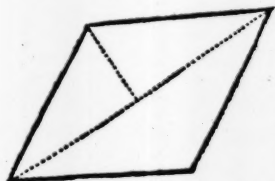
Baylie. Then I deuide 400. by 160. and I find 160. twice in 400 and 80. ouer: so it amounts to two acres and a halfe.

Sur. It is wel done: but I would haue you to obserue a forme in setting downe your quantities: for as the parts are foure, so set them downe in foure collumnes: as for
example

example: 2-2-0-0. the first is acres, the second is roodes, the third is daies workes, and the fourth perches.

Baylie. I thank you Sir, I pray let vs see some other forme.

Sur. This forme following is also a square, let me see how you will cast it vp.



Baily. I haue laid the compasse to the sides, as before, and by the scale, all the sides are twenty perches a peece, as were the first, and so I find no difference in the quantity.

Sur. But you shall

find you are in an error: for it is not the length of the sides that iustifies the quantity: but the angles must be considered: for you see there is great difference betweene the angles of the first figure, and the angles of this: for the angles of the first are all right angles, but this hath two sharpe or acute angles, and two blunt or obtuse angles, which maketh difference in the quantity, though the sides be equall euery way to the former.

Peeces of
equall sides,
may make
vnequall
quantities.

Baylie. I pray you shew me the reason.

Sur. Your eye may discern there is inequalitie in the bignesse of these two: but you shall prooue it thus: the first is a iust square of twenty perches euery way, which maketh the Area and content as big as possible like sides may make: but this last, by bending two sides, makes the two angles vnequall to the other, and must be measured by drawing a line from the two sharpe angles, and then raising a perpendicular from that base, to one of the obtuse equall angles: multiply the base, which is 34. by halfe the perpendicular, and that maketh in the whole 2-0-0-3.

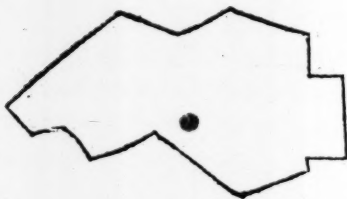
How to cast
vp a triangle

the base serving to both the perpendiculars being equall.

Baylie. This is almost two parts of an acre lesse then the former. And by this reason there may be a peece of land 20. perches euery side, that shall not containe about two parts of an acre.

Sur. It is true.

Baylie. I see in your plot a crooked peece of land to be measured as I take it, and I thinke it be the Loyds wood, called Frith-wood.



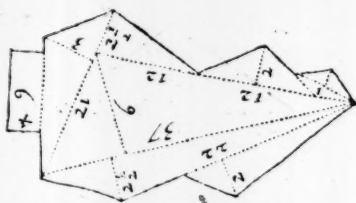
Sur. This is that you see, and it is troublesome to measure indeede: and without a Geometricall instrument, it can very hardly be measured, because there are woods about it, and the wood it selfe thicke of trees and bushes.

Baylie. You haue indeed laid it out in his true forme: but it hath so many angles and curnings, that I dare not adventure to measure it vpon your plot. I pray what course take you in casting vp of such a peece of land?

Sur. The truest course, for that it is so irregular, is, to put it into as many triangles as you conueniently may, making no more then necessitie requireth: and if you can doe this, you may doe any other forme.

Baylie. I pray you shew me the manner.

Sur.



Sur. I will make a demonstration vnto you, and marke it: you see the figure: there are contained within this figure 7. triangles, and one long square: the base of the first triangle is 22. perches, the halfe perpendicular thereof is two perches, and that containeth 0.1.0 The second triangle hath his base 37. perches, the halfe perpendicular, two and a halfe, which maketh 0.2.3.1. The third hath the base 37. the halfe perpendicular 6. which maketh 1.1.5.2. The fourth hath the base 21. the perpendicular 3. maketh 0.1.5.3. The fifth is in the base 12. perp. two and a halfe, and maketh 0.0.7.2. The sixth base 12. perp. 2. maketh 0.0.6.0. The long square 6. in length, and 4. in breadth 0.0.6.0. The two last are equall triangles, base 8. perp. 1 and a halfe, 0.0.3.0. All which seuerall summes being added together, doe amount vnto 3.0.8.0.

Baily. But which doe you call the base, and which perpendicular lines?

Sur. The longest line in any triangle is the base, and the perpendicular is a line imagined to rise from the base to the obtuse or blunt angle: as in the example following.

Baily. That which is done with prickes, you call the perpendicular, and the lower line, you call the base, as in this figure?

Base & perpendicular
quid.

Base and perpendicular
quid.



Sur. So it is.

Baylie. But how doe you cast by the quantitie, by a triangle thus: you cannot as I take it, by multiplying the base by the perpendicular, finde the content: for it is by that computation, more than indeede the triangle containeth.

The base
multiplied
by the per-
pendicular.

Sur. You say true, if you multiply the whole base, by the whole perpendicular: but you must multiply the one, by the halfe of the other.

Baylie. Doe you imagine that the truest measure, is by triangles?

Triangles
surest mea-
suring.

Sur. Yea, where you finde many angles in one field: there are other kinds, and manners of measuring, but this is speedy and certaine.

Baily. How if a peece of land lie directly round: I think you measure it round, and then cast it into a square, as if the circle be fortie perches round, it maketh 10 square.

A circular
forine.

Sur. Indeed, many vulgar measurers doe vse to measure many sorts of land round, and cast the whole into a square, which is for the most part false. But for a round, and circular peece of land, you must indeede measure it round, and take the halfe of the number of perches for the length: then take the semidiameter, namely, as many perches, as are from the Center, to the extreame, and multiply the halfe of the circle by the semidiameter. And for a halfe circle, multiply halfe the halfe circuit, by the Semidiameter, and diuide as I shewed you.

Baylie. I thanke you Sir: I hope you from your busi-
nesse

nesse, yet I pray you let me aske you one question more for my learning: how are hils, and valleys measured?

Sur. There is indeede some difficultie in them, without great industrie: for commonly, hils, and valleys lie very irregularly, sides, heights, and depths, very vnequall. And therefore, to demonstrate any certain rule for these kind of contents, many haue endeouored to do, to whom as vnto vncertainties I refer you: but for such kinde of grounds, there must special diligence be had, in bringing the into certain parts, distinguishing the parts by marks, and so by degrees to bring these parts into a certain content generall, and that vpon the ground: otherwise I see not, how by measuring a whole irregular circuit together, as irregular heights or depths, & applying the numbers to a generall computation, according to the rules of arithmetick, a certaintie may be procured: although the rules be true, yet in regard of the inequality of formes, the working may faile, vpon a plain plot, which cannot possibly truly demonstrate the true formes, nor consequently the quantities of vnequall hils and dales.

Measuring
hils and
valleys.

Irregular
formes
must bee
measured
by regular
parts.

Bayly. *Sur.* loath I am to be troublesome vnto you, for that I know you haue much businesse, and the casting vp of particulars of this whole Mannor, will be verie laborious: for to cast vp euery particular angle of a ground by arithmeticke, will be very tedious.

Sur. But I haue certaine tables of ease, which yeeld more speedier dispatch, then to cast vp euery content with the pen.

Baylie. I pray you let me be bold, to craue the sight of those tables.

Sur. I haue set them downe in a little book, and here it is.

Bayly. Were these of your owne inuention?

Sur.

Many rules
o casting
vp contents
beneſe a
Canon.

Sur. Many haue endeououred ſeueral manners and methods of computation: as one *Beneſe* a Canon of *Martin Abbey* neere *Mecham* in *Surrey*, who did it by ſundry ſquare Tables, increaſing by ten, as from one, to ten times ten, from one time twenty, to ten times twenty, and ſo increaſing by ten, vntill he come to an hundred times 120. that is, from one perch to 75. acres.

Baylie. Truly, theſe are very neceſſarie tables, is yours in another forme?

Sur. It is in that kind, but it worketh by the increaſe, from one to twenty times twenty, from one to forty times forty, from one to ſixty times ſixty, eighty times eighty, &c.

Baylie. This differs not much from the former, yet I take it to be more ready.

Sur. So it is.

Baylie. Who, I pray you, found out this way firſt?

Randolph
Agas.

Sur. Surely I had certaine papers of that method, of *M. Ran. Agas*, but they were imperfect in the due progreſſion: for they containd the firſt, wanting the middle, & ſome of the end of the Tables: that I haue bene forced to calculate them ſince, to make them perfect. But ſurely his diligence deſerues commendation.

Valentine
Lea.
M. Digges.

Baylie. Did *M. Agas* firſt contriue them ſo?

Sur. So I take it, but *M. Valentine Lea*, and *M. Digges* had in manner the like, encreaſing by the multiplication of greater ſummes: but of all other, I take this to be the moſt readieſt that you ſee heere.

Baylie. Is this the Booke, and are theſe the Tables?

Sur. Theſe are they: but that I haue ſet them into this forme, becauſe they may the better fall into leaues of a Portable booke, being before in long and troubleſome rols, and in another forme leſſe convenient,

Tables

Tabulæ primæ, pars prima. 153

	1	2	3	4	5	6	7	8	9	10						
1		1	2	3	1	1	1	2	1	3	2	2	1	2	2	
2		2	1	1	2	2	2	3	3	2	4	4	2	5		
3		3	2	1	3	3	3	4	2	5	1	6	6	3	7	2
4		4	1	1	5	6	7	8	9							1
5		5	6	1	7	2	8	3		1	1	2	2			
6		6	9				1	2	2	3	2	5	1			
7		7	2	1	4			1	5	3	7	2				
8		8	6						8	1						
9		9								2	2					
10		10									5					

M

Tabulæ

154 *Tabula prima, pars secunda.*

	I1	I2	I3	I4	I5	I6	I7	I8	I9	I20
I	2 3 3	3 1 3	2 3 4	4 1 4	2 4 3	5				
2	5 2 6	6 2 7	7 2 8	8 2 9	9 2					
3	8 1 9	9 3	2 1 1	2 3 3	2 4 1	5				
4	1 2 1	3 1 4	5 1 6	7 1 8	9 1					
5	3 3 5	6 1 7	8 3	1 2 2	2 3 5					
6	6 2 8	9 2 1	2 2 4	5 2 7	8 2	3				
7	9 1 1	2 3 4	2 6 1	8 2	9 3 1	2 3 5				
8	2 2 4	6 2 8	1 3 1	2 3 4	6 3 8	1 3 1				
9	4 3 7	9 2 1	2 3 3	6 3 8	1 3 1	2 3 5				
I0	7 2 3	2 2 5	3 7 2	1 2 2	5 1 7	2 1 5				
I1	3 1 3	5 3 8	1 1 4	6 3 9	2 1 1	1 1 2				
I2	6 3 9	1 2 5	8 3 1	1 1 1	2 1 2	1 1 2				
I3	1 2 1	5 2 8	3 1 1	5 1 8	2 1 1	2 1 5				
I4	9 1 2	2 6 9	1 9 2	5 1 6	2 1 1	2 1 5				
I5	6 1 1	1 3 4	2 1 2	1 3 7	2 1 1	1 1 5				
I6	1 4 1	2 8 1	2 3 1	1 6 1	3 1 2					
I7	1 2 1	1 6 2	1 3 1	1 5 2	1 3 5					
I8	2 1 1	2 5 2	2 1 1							
I9	2 1 1	1 5 1								
I20	2 2									

Tabula

Tabulæ secundæ pars prima. 155

	21	22	23	24	25	26	27	28	29	30								
1	5	1	5	2	5	3	6	6	1	6	2	6	3	7	7	1	7	2
2	2	1	1	1	2	1	1	1	1	1	1	1	1	1	1	1	1	1
3	5	3	6	2	7	1	8	1	8	3	2	2	1	1	1	1	1	2
4	1	2	2	3	2	2	2	2	2	2	2	2	2	2	2	2	2	3
5	6	2	7	2	8	2	3	1	3	2	3	3	3	3	6	3	7	3
6	1	3	3	3	4	2	6	3	3	2	9	3	1	2	1	3	2	5
7	6	3	8	3	1	1	2	1	3	1	2	1	7	1	9	1	1	1
8	1	2	1	1	5	1	8	1	1	1	1	1	1	5	1	8	1	2
9	1	7	1	9	2	1	3	1	5	1	3	2	3	1	1	2	1	2
10	1	2	2	5	1	1	1	2	1	2	1	2	1	2	1	3	2	3
11	1	7	3	1	2	3	1	6	1	1	3	2	1	7	3	9	3	2
12	1	3	1	6	2	1	9	2	3	1	3	8	3	1	2	1	2	1
13	1	8	2	1	1	2	3	3	1	1	2	7	2	3	1	1	2	1
14	1	3	1	3	2	2	2	1	7	2	1	2	1	2	1	2	2	2
15	1	8	3	2	2	6	1	2	1	2	1	2	2	2	2	2	2	2
16	2	4	2	8	2	2	1	6	1	2	2	2	2	2	2	3	3	3
17	2	9	1	3	2	7	3	2	2	6	1	2	2	2	3	3	3	2
18	2	4	2	9	1	2	2	3	2	2	2	3	2	3	9	3	1	1
19	2	9	1	2	2	2	2	2	3	8	3	3	2	3	1	3	1	2
20	2	5	2	2	3	2	3	3	3	3	3	1	3	2	3	2	3	3

M 2

Tabu-

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	31	32	33	34	35	36	37	38	39	40
1	7	3	8	3	1	8	2	8	3	2
2	1	2	6	1	6	2	7	1	7	2
3	3	1	4	2	4	3	5	2	5	1
4	1	3	2	3	3	4	3	5	3	1
5	8	3	1	1	1	2	2	1	3	1
6	1	6	2	8	1	9	2	1	1	2
7	1	4	1	6	1	7	3	2	2	1
8	1	2	2	3	2	5	2	1	3	2
9	1	9	3	2	3	1	3	1	3	2
10	1	7	3	2	2	2	5	1	7	2
11	2	5	1	8	2	1	2	2	2	2
12	1	2	1	6	1	2	1	2	1	2
13	2	3	1	4	2	2	2	3	1	3
14	2	8	2	2	3	2	2	3	2	3
15	2	6	1	3	3	3	7	2	3	3
16	1	4	1	8	1	3	1	2	1	3
17	1	1	1	3	1	3	2	3	1	3
18	3	2	2	3	2	3	3	7	2	3
19	3	7	2	3	3	6	3	1	4	1
20	1	1	3	4	4	1	4	5	1	4

Tabu

Tabulæ secundæ, pars tertia. 157

	21	22	23	24	25	26	27	28	29	30
21	$\frac{2}{1}$	$\frac{3}{1}$	$\frac{2}{5}$	$\frac{3}{2}$	$\frac{3}{3}$	$\frac{3}{6}$	$\frac{3}{1}$	$\frac{1}{1}$	$\frac{2}{2}$	$\frac{3}{3}$
22		$\frac{3}{1}$	$\frac{2}{6}$	$\frac{3}{2}$	$\frac{3}{7}$	$\frac{1}{2}$	$\frac{3}{3}$	$\frac{2}{4}$	$\frac{3}{3}$	$\frac{3}{7}$
23			$\frac{3}{2}$	$\frac{1}{3}$	$\frac{3}{3}$	$\frac{2}{9}$	$\frac{3}{2}$	$\frac{3}{4}$	$\frac{1}{6}$	$\frac{1}{4}$
24				$\frac{3}{4}$	$\frac{2}{3}$	$\frac{3}{6}$	$\frac{3}{2}$	$\frac{1}{8}$	$\frac{4}{4}$	$\frac{1}{4}$
25					$\frac{3}{4}$	$\frac{1}{2}$	$\frac{4}{3}$	$\frac{1}{5}$	$\frac{1}{1}$	$\frac{2}{7}$
26						$\frac{4}{3}$	$\frac{1}{5}$	$\frac{2}{2}$	$\frac{4}{8}$	$\frac{2}{5}$
27							$\frac{4}{2}$	$\frac{2}{9}$	$\frac{4}{5}$	$\frac{3}{2}$
28								$\frac{4}{6}$	$\frac{3}{3}$	$\frac{5}{1}$
29									$\frac{5}{1}$	$\frac{1}{7}$
30										$\frac{5}{2}$

M 3

Tabulæ

Tabulæ tertiæ, pars prima. 159

	41	42	43	44	45	46	47	48	49	50
I	1 1	2 2	3 3	4 4	5 5	6 6	7 7	8 8	9 9	10 10
2	1 2	2 3	3 4	4 5	5 6	6 7	7 8	8 9	9 10	10 11
3	1 3	2 4	3 5	4 6	5 7	6 8	7 9	8 10	9 11	10 12
4	1 4	2 5	3 6	4 7	5 8	6 9	7 10	8 11	9 12	10 13
5	1 5	2 6	3 7	4 8	5 9	6 10	7 11	8 12	9 13	10 14
6	1 6	2 7	3 8	4 9	5 10	6 11	7 12	8 13	9 14	10 15
7	1 7	2 8	3 9	4 10	5 11	6 12	7 13	8 14	9 15	10 16
8	1 8	2 9	3 10	4 11	5 12	6 13	7 14	8 15	9 16	10 17
9	1 9	2 10	3 11	4 12	5 13	6 14	7 15	8 16	9 17	10 18
10	1 10	2 11	3 12	4 13	5 14	6 15	7 16	8 17	9 18	10 19
11	1 11	2 12	3 13	4 14	5 15	6 16	7 17	8 18	9 19	10 20
12	1 12	2 13	3 14	4 15	5 16	6 17	7 18	8 19	9 20	10 21
13	1 13	2 14	3 15	4 16	5 17	6 18	7 19	8 20	9 21	10 22
14	1 14	2 15	3 16	4 17	5 18	6 19	7 20	8 21	9 22	10 23
15	1 15	2 16	3 17	4 18	5 19	6 20	7 21	8 22	9 23	10 24
16	1 16	2 17	3 18	4 19	5 20	6 21	7 22	8 23	9 24	10 25
17	1 17	2 18	3 19	4 20	5 21	6 22	7 23	8 24	9 25	10 26
18	1 18	2 19	3 20	4 21	5 22	6 23	7 24	8 25	9 26	10 27
19	1 19	2 20	3 21	4 22	5 23	6 24	7 25	8 26	9 27	10 28
20	1 20	2 21	3 22	4 23	5 24	6 25	7 26	8 27	9 28	10 29

M 4

Tabu-

160 *Tabulæ tertiæ, pars secunda.*

	51	52	53	54	55	56	57	58	59	60
1	2 ¹ ₃ 3 ¹ ₃	1 ¹ ₃ 1 ¹ ₃	1 ¹ ₃ 2 ¹ ₃	1 ¹ ₃ 3 ¹ ₃	1 ¹ ₃ 4 ¹ ₃	1 ¹ ₃ 5 ¹ ₃	1 ¹ ₃ 6 ¹ ₃	1 ¹ ₃ 7 ¹ ₃	1 ¹ ₃ 8 ¹ ₃	1 ¹ ₃ 9 ¹ ₃
2	1 ² ₆ 2 ² ₆	2 ² ₆ 3 ² ₆	3 ² ₆ 4 ² ₆	4 ² ₆ 5 ² ₆	5 ² ₆ 6 ² ₆	6 ² ₆ 7 ² ₆	7 ² ₆ 8 ² ₆	8 ² ₆ 9 ² ₆	9 ² ₆ 10 ² ₆	10 ² ₆ 11 ² ₆
3	8 ³ ₉ 1 ³ ₉	1 ³ ₉ 2 ³ ₉	2 ³ ₉ 3 ³ ₉	3 ³ ₉ 4 ³ ₉	4 ³ ₉ 5 ³ ₉	5 ³ ₉ 6 ³ ₉	6 ³ ₉ 7 ³ ₉	7 ³ ₉ 8 ³ ₉	8 ³ ₉ 9 ³ ₉	9 ³ ₉ 10 ³ ₉
4	1 ⁴ ₁ 2 ⁴ ₁	2 ⁴ ₁ 3 ⁴ ₁	3 ⁴ ₁ 4 ⁴ ₁	4 ⁴ ₁ 5 ⁴ ₁	5 ⁴ ₁ 6 ⁴ ₁	6 ⁴ ₁ 7 ⁴ ₁	7 ⁴ ₁ 8 ⁴ ₁	8 ⁴ ₁ 9 ⁴ ₁	9 ⁴ ₁ 10 ⁴ ₁	10 ⁴ ₁ 11 ⁴ ₁
5	1 ⁵ ₃ 2 ⁵ ₃	2 ⁵ ₃ 3 ⁵ ₃	3 ⁵ ₃ 4 ⁵ ₃	4 ⁵ ₃ 5 ⁵ ₃	5 ⁵ ₃ 6 ⁵ ₃	6 ⁵ ₃ 7 ⁵ ₃	7 ⁵ ₃ 8 ⁵ ₃	8 ⁵ ₃ 9 ⁵ ₃	9 ⁵ ₃ 10 ⁵ ₃	10 ⁵ ₃ 11 ⁵ ₃
6	1 ⁶ ₆ 2 ⁶ ₆	2 ⁶ ₆ 3 ⁶ ₆	3 ⁶ ₆ 4 ⁶ ₆	4 ⁶ ₆ 5 ⁶ ₆	5 ⁶ ₆ 6 ⁶ ₆	6 ⁶ ₆ 7 ⁶ ₆	7 ⁶ ₆ 8 ⁶ ₆	8 ⁶ ₆ 9 ⁶ ₆	9 ⁶ ₆ 10 ⁶ ₆	10 ⁶ ₆ 11 ⁶ ₆
7	2 ⁷ ₉ 1 ⁷ ₉	1 ⁷ ₉ 2 ⁷ ₉	2 ⁷ ₉ 3 ⁷ ₉	3 ⁷ ₉ 4 ⁷ ₉	4 ⁷ ₉ 5 ⁷ ₉	5 ⁷ ₉ 6 ⁷ ₉	6 ⁷ ₉ 7 ⁷ ₉	7 ⁷ ₉ 8 ⁷ ₉	8 ⁷ ₉ 9 ⁷ ₉	9 ⁷ ₉ 10 ⁷ ₉
8	2 ⁸ ₁ 3 ⁸ ₁	3 ⁸ ₁ 4 ⁸ ₁	4 ⁸ ₁ 5 ⁸ ₁	5 ⁸ ₁ 6 ⁸ ₁	6 ⁸ ₁ 7 ⁸ ₁	7 ⁸ ₁ 8 ⁸ ₁	8 ⁸ ₁ 9 ⁸ ₁	9 ⁸ ₁ 10 ⁸ ₁	10 ⁸ ₁ 11 ⁸ ₁	11 ⁸ ₁ 12 ⁸ ₁
9	2 ⁹ ₄ 3 ⁹ ₄	3 ⁹ ₄ 4 ⁹ ₄	4 ⁹ ₄ 5 ⁹ ₄	5 ⁹ ₄ 6 ⁹ ₄	6 ⁹ ₄ 7 ⁹ ₄	7 ⁹ ₄ 8 ⁹ ₄	8 ⁹ ₄ 9 ⁹ ₄	9 ⁹ ₄ 10 ⁹ ₄	10 ⁹ ₄ 11 ⁹ ₄	11 ⁹ ₄ 12 ⁹ ₄
10	3 ¹⁰ ₇ 4 ¹⁰ ₇	4 ¹⁰ ₇ 5 ¹⁰ ₇	5 ¹⁰ ₇ 6 ¹⁰ ₇	6 ¹⁰ ₇ 7 ¹⁰ ₇	7 ¹⁰ ₇ 8 ¹⁰ ₇	8 ¹⁰ ₇ 9 ¹⁰ ₇	9 ¹⁰ ₇ 10 ¹⁰ ₇	10 ¹⁰ ₇ 11 ¹⁰ ₇	11 ¹⁰ ₇ 12 ¹⁰ ₇	12 ¹⁰ ₇ 13 ¹⁰ ₇
11	3 ¹¹ ₀ 4 ¹¹ ₀	4 ¹¹ ₀ 5 ¹¹ ₀	5 ¹¹ ₀ 6 ¹¹ ₀	6 ¹¹ ₀ 7 ¹¹ ₀	7 ¹¹ ₀ 8 ¹¹ ₀	8 ¹¹ ₀ 9 ¹¹ ₀	9 ¹¹ ₀ 10 ¹¹ ₀	10 ¹¹ ₀ 11 ¹¹ ₀	11 ¹¹ ₀ 12 ¹¹ ₀	12 ¹¹ ₀ 13 ¹¹ ₀
12	3 ¹² ₃ 4 ¹² ₃	4 ¹² ₃ 5 ¹² ₃	5 ¹² ₃ 6 ¹² ₃	6 ¹² ₃ 7 ¹² ₃	7 ¹² ₃ 8 ¹² ₃	8 ¹² ₃ 9 ¹² ₃	9 ¹² ₃ 10 ¹² ₃	10 ¹² ₃ 11 ¹² ₃	11 ¹² ₃ 12 ¹² ₃	12 ¹² ₃ 13 ¹² ₃
13	4 ¹³ ₃ 5 ¹³ ₃	5 ¹³ ₃ 6 ¹³ ₃	6 ¹³ ₃ 7 ¹³ ₃	7 ¹³ ₃ 8 ¹³ ₃	8 ¹³ ₃ 9 ¹³ ₃	9 ¹³ ₃ 10 ¹³ ₃	10 ¹³ ₃ 11 ¹³ ₃	11 ¹³ ₃ 12 ¹³ ₃	12 ¹³ ₃ 13 ¹³ ₃	13 ¹³ ₃ 14 ¹³ ₃
14	4 ¹⁴ ₈ 5 ¹⁴ ₈	5 ¹⁴ ₈ 6 ¹⁴ ₈	6 ¹⁴ ₈ 7 ¹⁴ ₈	7 ¹⁴ ₈ 8 ¹⁴ ₈	8 ¹⁴ ₈ 9 ¹⁴ ₈	9 ¹⁴ ₈ 10 ¹⁴ ₈	10 ¹⁴ ₈ 11 ¹⁴ ₈	11 ¹⁴ ₈ 12 ¹⁴ ₈	12 ¹⁴ ₈ 13 ¹⁴ ₈	13 ¹⁴ ₈ 14 ¹⁴ ₈
15	4 ¹⁵ ₁ 5 ¹⁵ ₁	5 ¹⁵ ₁ 6 ¹⁵ ₁	6 ¹⁵ ₁ 7 ¹⁵ ₁	7 ¹⁵ ₁ 8 ¹⁵ ₁	8 ¹⁵ ₁ 9 ¹⁵ ₁	9 ¹⁵ ₁ 10 ¹⁵ ₁	10 ¹⁵ ₁ 11 ¹⁵ ₁	11 ¹⁵ ₁ 12 ¹⁵ ₁	12 ¹⁵ ₁ 13 ¹⁵ ₁	13 ¹⁵ ₁ 14 ¹⁵ ₁
16	5 ¹⁶ ₄ 6 ¹⁶ ₄	6 ¹⁶ ₄ 7 ¹⁶ ₄	7 ¹⁶ ₄ 8 ¹⁶ ₄	8 ¹⁶ ₄ 9 ¹⁶ ₄	9 ¹⁶ ₄ 10 ¹⁶ ₄	10 ¹⁶ ₄ 11 ¹⁶ ₄	11 ¹⁶ ₄ 12 ¹⁶ ₄	12 ¹⁶ ₄ 13 ¹⁶ ₄	13 ¹⁶ ₄ 14 ¹⁶ ₄	14 ¹⁶ ₄ 15 ¹⁶ ₄
17	5 ¹⁷ ₆ 6 ¹⁷ ₆	6 ¹⁷ ₆ 7 ¹⁷ ₆	7 ¹⁷ ₆ 8 ¹⁷ ₆	8 ¹⁷ ₆ 9 ¹⁷ ₆	9 ¹⁷ ₆ 10 ¹⁷ ₆	10 ¹⁷ ₆ 11 ¹⁷ ₆	11 ¹⁷ ₆ 12 ¹⁷ ₆	12 ¹⁷ ₆ 13 ¹⁷ ₆	13 ¹⁷ ₆ 14 ¹⁷ ₆	14 ¹⁷ ₆ 15 ¹⁷ ₆
18	5 ¹⁸ ₉ 6 ¹⁸ ₉	6 ¹⁸ ₉ 7 ¹⁸ ₉	7 ¹⁸ ₉ 8 ¹⁸ ₉	8 ¹⁸ ₉ 9 ¹⁸ ₉	9 ¹⁸ ₉ 10 ¹⁸ ₉	10 ¹⁸ ₉ 11 ¹⁸ ₉	11 ¹⁸ ₉ 12 ¹⁸ ₉	12 ¹⁸ ₉ 13 ¹⁸ ₉	13 ¹⁸ ₉ 14 ¹⁸ ₉	14 ¹⁸ ₉ 15 ¹⁸ ₉
19	6 ¹⁹ ₂ 7 ¹⁹ ₂	7 ¹⁹ ₂ 8 ¹⁹ ₂	8 ¹⁹ ₂ 9 ¹⁹ ₂	9 ¹⁹ ₂ 10 ¹⁹ ₂	10 ¹⁹ ₂ 11 ¹⁹ ₂	11 ¹⁹ ₂ 12 ¹⁹ ₂	12 ¹⁹ ₂ 13 ¹⁹ ₂	13 ¹⁹ ₂ 14 ¹⁹ ₂	14 ¹⁹ ₂ 15 ¹⁹ ₂	15 ¹⁹ ₂ 16 ¹⁹ ₂
20	6 ²⁰ ₅ 7 ²⁰ ₅	7 ²⁰ ₅ 8 ²⁰ ₅	8 ²⁰ ₅ 9 ²⁰ ₅	9 ²⁰ ₅ 10 ²⁰ ₅	10 ²⁰ ₅ 11 ²⁰ ₅	11 ²⁰ ₅ 12 ²⁰ ₅	12 ²⁰ ₅ 13 ²⁰ ₅	13 ²⁰ ₅ 14 ²⁰ ₅	14 ²⁰ ₅ 15 ²⁰ ₅	15 ²⁰ ₅ 16 ²⁰ ₅

Tabu-

Tabulæ tertiæ, pars tertia. 161

	41	42	43	44	45	46	47	48	49	50
21	1 1	1 1	2 1	2 1	3 1	3 1	6 1	6 1	6 1	6 1
22	1 1	2 1	3 1	3 1	6 1	6 1	1 1	6 1	6 1	6 1
23	1 1	3 1	6 1	6 1	1 1	6 1	6 1	3 1	7 1	7 1
24	6 1	6 1	1 1	6 1	2 1	6 1	3 1	7 1	7 1	7 1
25	6 1	1 1	6 1	2 1	6 1	3 1	7 1	7 1	2 1	7 1
26	6 1	2 1	6 1	3 1	7 1	7 1	2 1	7 1	3 1	8 1
27	6 1	3 1	7 1	7 1	1 1	7 1	2 1	7 1	3 1	8 1
28	7 1	7 1	1 1	7 1	2 1	7 1	3 1	8 1	8 1	8 1
29	7 1	1 1	7 1	2 1	7 1	3 1	8 1	8 1	8 1	8 1
30	7 1	2 1	7 1	3 1	8 1	8 1	1 1	8 1	8 1	8 1
31	7 1	3 1	8 1	8 1	1 1	8 1	2 1	8 1	8 1	8 1
32	8 1	8 1	1 1	8 1	2 1	8 1	3 1	9 1	9 1	9 1
33	8 1	1 1	8 1	2 1	8 1	3 1	9 1	9 1	9 1	9 1
34	8 1	2 1	8 1	3 1	9 1	9 1	1 1	9 1	9 1	9 1
35	8 1	3 1	9 1	9 1	1 1	9 1	2 1	10 1	10 1	10 1
36	9 1	9 1	1 1	9 1	2 1	9 1	3 1	10 1	10 1	10 1
37	9 1	1 1	9 1	2 1	9 1	3 1	10 1	10 1	10 1	10 1
38	9 1	2 1	9 1	3 1	10 1	10 1	1 1	10 1	10 1	10 1
39	9 1	3 1	10 1	10 1	1 1	10 1	2 1	11 1	11 1	11 1
40	10 1	10 1	1 1	10 1	2 1	10 1	3 1	11 1	11 1	11 1

Tabulæ

162

[illegible]

Tabulæ

Tabulæ tertiæ, pars quinta. 163										
	41	42	43	44	45	46	47	48	49	50
41	10 2 7	10 3 2	11 3	11 1 1	11 2 1	11 3 1	12 3	12 1 2	12 2 2	12 3 2
42		11 7	11 1 2	11 2 2	11 3 2	12 3	12 1 3	12 2 4	12 3 4	13 5
43			11 2 2	11 3 3	12 3	12 1 4	12 2 4	12 3 5	13 7	13 1 2
44				12 4	12 1 5	12 2 6	12 3 7	13 8	13 1 9	13 2 10
45					12 2 6	12 3 7	13 8	13 1 9	13 2 10	14 11
46						13 9	13 1 10	13 2 11	14 12	14 1 13
47							13 2 11	14 12	14 1 13	14 2 14
48								14 12	14 1 13	14 2 14
49									14 2 14	15 15
50										15 15

Tabulæ

164

Tabula tertiæ, pars sexta.

	51	52	53	54	55	56	57	58	59	60
41	$\frac{13}{2} \frac{3}{3}$	$\frac{13}{1} \frac{1}{3}$	$\frac{13}{2} \frac{2}{3}$	$\frac{13}{3} \frac{3}{3}$	$\frac{14}{3} \frac{3}{3}$	$\frac{14}{4} \frac{1}{4}$	$\frac{14}{2} \frac{2}{4}$	$\frac{14}{3} \frac{3}{4}$	$\frac{15}{2} \frac{2}{4}$	$\frac{15}{3} \frac{1}{5}$
42	$\frac{13}{1} \frac{1}{6}$	$\frac{13}{2} \frac{2}{6}$	$\frac{13}{3} \frac{3}{6}$	$\frac{14}{2} \frac{2}{7}$	$\frac{14}{3} \frac{3}{7}$	$\frac{14}{4} \frac{4}{8}$	$\frac{14}{5} \frac{5}{8}$	$\frac{15}{2} \frac{2}{9}$	$\frac{15}{3} \frac{3}{9}$	$\frac{15}{4} \frac{4}{10}$
43	$\frac{13}{8} \frac{1}{9}$	$\frac{13}{2} \frac{2}{9}$	$\frac{13}{3} \frac{3}{9}$	$\frac{14}{2} \frac{2}{10}$	$\frac{14}{3} \frac{3}{10}$	$\frac{14}{4} \frac{4}{11}$	$\frac{15}{2} \frac{2}{11}$	$\frac{15}{3} \frac{3}{11}$	$\frac{15}{4} \frac{4}{12}$	$\frac{15}{5} \frac{5}{13}$
44	$\frac{14}{1} \frac{1}{2}$	$\frac{14}{2} \frac{2}{3}$	$\frac{14}{3} \frac{3}{4}$	$\frac{14}{4} \frac{4}{5}$	$\frac{15}{2} \frac{2}{6}$	$\frac{15}{3} \frac{3}{7}$	$\frac{15}{4} \frac{4}{8}$	$\frac{15}{5} \frac{5}{9}$	$\frac{16}{2} \frac{2}{10}$	$\frac{16}{3} \frac{3}{11}$
45	$\frac{14}{3} \frac{1}{5}$	$\frac{14}{2} \frac{2}{6}$	$\frac{14}{3} \frac{3}{7}$	$\frac{15}{2} \frac{2}{8}$	$\frac{15}{3} \frac{3}{9}$	$\frac{15}{4} \frac{4}{10}$	$\frac{16}{2} \frac{2}{11}$	$\frac{16}{3} \frac{3}{12}$	$\frac{16}{4} \frac{4}{13}$	$\frac{16}{5} \frac{5}{14}$
46	$\frac{14}{6} \frac{2}{8}$	$\frac{14}{3} \frac{3}{9}$	$\frac{15}{2} \frac{2}{10}$	$\frac{15}{3} \frac{3}{11}$	$\frac{15}{4} \frac{4}{12}$	$\frac{16}{2} \frac{2}{13}$	$\frac{16}{3} \frac{3}{14}$	$\frac{16}{4} \frac{4}{15}$	$\frac{16}{5} \frac{5}{16}$	$\frac{17}{2} \frac{2}{17}$
47	$\frac{14}{4} \frac{1}{11}$	$\frac{15}{2} \frac{2}{12}$	$\frac{15}{3} \frac{3}{13}$	$\frac{15}{4} \frac{4}{14}$	$\frac{16}{2} \frac{2}{15}$	$\frac{16}{3} \frac{3}{16}$	$\frac{16}{4} \frac{4}{17}$	$\frac{17}{2} \frac{2}{18}$	$\frac{17}{3} \frac{3}{19}$	$\frac{17}{4} \frac{4}{20}$
48	$\frac{15}{2} \frac{1}{4}$	$\frac{15}{3} \frac{2}{5}$	$\frac{15}{4} \frac{3}{6}$	$\frac{16}{2} \frac{2}{7}$	$\frac{16}{3} \frac{3}{8}$	$\frac{16}{4} \frac{4}{9}$	$\frac{17}{2} \frac{2}{10}$	$\frac{17}{3} \frac{3}{11}$	$\frac{17}{4} \frac{4}{12}$	$\frac{18}{2} \frac{2}{13}$
49	$\frac{15}{4} \frac{3}{7}$	$\frac{15}{2} \frac{2}{8}$	$\frac{16}{3} \frac{3}{9}$	$\frac{16}{4} \frac{4}{10}$	$\frac{16}{5} \frac{5}{11}$	$\frac{17}{2} \frac{2}{12}$	$\frac{17}{3} \frac{3}{13}$	$\frac{17}{4} \frac{4}{14}$	$\frac{18}{2} \frac{2}{15}$	$\frac{18}{3} \frac{3}{16}$
50	$\frac{15}{7} \frac{2}{11}$	$\frac{16}{3} \frac{3}{12}$	$\frac{16}{4} \frac{4}{13}$	$\frac{16}{5} \frac{5}{14}$	$\frac{17}{2} \frac{2}{15}$	$\frac{17}{3} \frac{3}{16}$	$\frac{17}{4} \frac{4}{17}$	$\frac{18}{2} \frac{2}{18}$	$\frac{18}{3} \frac{3}{19}$	$\frac{18}{4} \frac{4}{20}$
51	$\frac{16}{1} \frac{1}{3}$	$\frac{16}{2} \frac{2}{4}$	$\frac{16}{3} \frac{3}{5}$	$\frac{17}{2} \frac{2}{6}$	$\frac{17}{3} \frac{3}{7}$	$\frac{17}{4} \frac{4}{8}$	$\frac{18}{2} \frac{2}{9}$	$\frac{18}{3} \frac{3}{10}$	$\frac{18}{4} \frac{4}{11}$	$\frac{19}{2} \frac{2}{12}$
52	$\frac{16}{6} \frac{3}{9}$	$\frac{17}{2} \frac{2}{10}$	$\frac{17}{3} \frac{3}{11}$	$\frac{17}{4} \frac{4}{12}$	$\frac{18}{2} \frac{2}{13}$	$\frac{18}{3} \frac{3}{14}$	$\frac{18}{4} \frac{4}{15}$	$\frac{19}{2} \frac{2}{16}$	$\frac{19}{3} \frac{3}{17}$	$\frac{19}{4} \frac{4}{18}$
53	$\frac{17}{2} \frac{1}{5}$	$\frac{17}{3} \frac{2}{6}$	$\frac{17}{4} \frac{3}{7}$	$\frac{18}{2} \frac{2}{8}$	$\frac{18}{3} \frac{3}{9}$	$\frac{18}{4} \frac{4}{10}$	$\frac{19}{2} \frac{2}{11}$	$\frac{19}{3} \frac{3}{12}$	$\frac{19}{4} \frac{4}{13}$	$\frac{20}{2} \frac{2}{14}$
54	$\frac{18}{2} \frac{2}{9}$	$\frac{18}{3} \frac{3}{10}$	$\frac{18}{4} \frac{4}{11}$	$\frac{18}{5} \frac{5}{12}$	$\frac{19}{2} \frac{2}{13}$	$\frac{19}{3} \frac{3}{14}$	$\frac{19}{4} \frac{4}{15}$	$\frac{20}{2} \frac{2}{16}$	$\frac{20}{3} \frac{3}{17}$	$\frac{20}{4} \frac{4}{18}$
55	$\frac{18}{6} \frac{3}{11}$	$\frac{19}{2} \frac{2}{12}$	$\frac{19}{3} \frac{3}{13}$	$\frac{19}{4} \frac{4}{14}$	$\frac{20}{2} \frac{2}{15}$	$\frac{20}{3} \frac{3}{16}$	$\frac{20}{4} \frac{4}{17}$	$\frac{21}{2} \frac{2}{18}$	$\frac{21}{3} \frac{3}{19}$	$\frac{21}{4} \frac{4}{20}$
56	$\frac{19}{4} \frac{1}{8}$	$\frac{19}{3} \frac{2}{9}$	$\frac{20}{2} \frac{2}{10}$	$\frac{20}{3} \frac{3}{11}$	$\frac{20}{4} \frac{4}{12}$	$\frac{21}{2} \frac{2}{13}$	$\frac{21}{3} \frac{3}{14}$	$\frac{21}{4} \frac{4}{15}$	$\frac{22}{2} \frac{2}{16}$	$\frac{22}{3} \frac{3}{17}$
57	$\frac{20}{2} \frac{1}{6}$	$\frac{20}{3} \frac{2}{7}$	$\frac{21}{2} \frac{2}{8}$	$\frac{21}{3} \frac{3}{9}$	$\frac{21}{4} \frac{4}{10}$	$\frac{22}{2} \frac{2}{11}$	$\frac{22}{3} \frac{3}{12}$	$\frac{22}{4} \frac{4}{13}$	$\frac{23}{2} \frac{2}{14}$	$\frac{23}{3} \frac{3}{15}$
58	$\frac{21}{1} \frac{1}{5}$	$\frac{21}{2} \frac{2}{6}$	$\frac{21}{3} \frac{3}{7}$	$\frac{22}{2} \frac{2}{8}$	$\frac{22}{3} \frac{3}{9}$	$\frac{22}{4} \frac{4}{10}$	$\frac{23}{2} \frac{2}{11}$	$\frac{23}{3} \frac{3}{12}$	$\frac{23}{4} \frac{4}{13}$	$\frac{24}{2} \frac{2}{14}$
59	$\frac{21}{1} \frac{1}{4}$	$\frac{22}{2} \frac{2}{5}$	$\frac{22}{3} \frac{3}{6}$	$\frac{23}{2} \frac{2}{7}$	$\frac{23}{3} \frac{3}{8}$	$\frac{23}{4} \frac{4}{9}$	$\frac{24}{2} \frac{2}{10}$	$\frac{24}{3} \frac{3}{11}$	$\frac{24}{4} \frac{4}{12}$	$\frac{25}{2} \frac{2}{13}$
60	$\frac{24}{2} \frac{2}{4}$									

Tabula

Tabula quarta, pars prima. 165

	61	62	63	64	65	66	67	68	69	70
1	1	1	1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2	2	2	2
3	3	3	3	3	3	3	3	3	3	3
4	4	4	4	4	4	4	4	4	4	4
5	5	5	5	5	5	5	5	5	5	5
6	6	6	6	6	6	6	6	6	6	6
7	7	7	7	7	7	7	7	7	7	7
8	8	8	8	8	8	8	8	8	8	8
9	9	9	9	9	9	9	9	9	9	9
10	10	10	10	10	10	10	10	10	10	10
11	11	11	11	11	11	11	11	11	11	11
12	12	12	12	12	12	12	12	12	12	12
13	13	13	13	13	13	13	13	13	13	13
14	14	14	14	14	14	14	14	14	14	14
15	15	15	15	15	15	15	15	15	15	15
16	16	16	16	16	16	16	16	16	16	16
17	17	17	17	17	17	17	17	17	17	17
18	18	18	18	18	18	18	18	18	18	18
19	19	19	19	19	19	19	19	19	19	19
20	20	20	20	20	20	20	20	20	20	20

Tabula

166 *Tabulæ quartæ, pars secunda.*

	71	72	73	74	75	76	77	78	79	80
I	7	1	8	1	8	1	8	1	8	1
2	5	3	6	3	6	3	6	3	6	3
3	1	1	1	1	1	1	1	1	1	1
4	1	3	1	3	1	3	1	3	1	3
5	2	8	3	1	2	8	3	1	2	8
6	2	6	2	8	2	6	2	8	2	6
7	3	1	6	3	1	6	3	1	6	3
8	3	2	1	4	2	3	2	1	4	2
9	3	3	4	1	4	1	4	1	4	1
10	4	2	1	4	2	1	4	2	1	4
11	4	3	1	3	1	3	1	3	1	3
12	5	1	5	1	5	1	5	1	5	1
13	5	3	5	3	5	3	5	3	5	3
14	6	8	2	2	6	8	2	2	6	8
15	6	2	6	3	6	3	6	3	6	3
16	7	1	8	2	7	1	8	2	7	1
17	7	2	1	3	7	2	1	3	7	2
18	7	3	8	1	7	3	8	1	7	3
19	8	1	8	2	8	1	8	2	8	1
20	8	3	9	1	8	3	9	1	8	3

Tabulæ

Tabula quarta, pars tertia. 167

	61	62	63	64	65	66	67	68	69	70
21	8 1 5	8 2	8 3 6	8 1 6	8 2 1	8 2 6	8 3 1	8 3 7	8 3 2	9 1 7
22	8 5 1	8 1 6	8 2 2	8 2 3	8 3 7	8 3 3	8 3 9	8 2 4	9 1 9	9 2 5
23	8 3 6	8 3 2	8 3 9	8 2 1	9 1 3	9 1 9	9 2 1	9 2 9	9 3 1	10 3 2
24	9 6	9 2	9 1 3	9 1 4	9 2 9	9 3 6	9 3 10	10 3 2	10 3 8	10 1 10
25	9 1 2	9 2 7	9 2 3	9 3 3	10 3	10 1 6	10 1 2	10 1 8	10 2 3	10 3 10
26	9 6 2	9 3 10	9 2 6	10 1 1	10 2 2	10 2 9	10 3 5	10 3 2	11 3 2	11 1 1
27	10 1 1	10 1 8	10 1 2	10 2 5	10 3 1	10 3 8	11 3 2	11 1 1	11 1 9	11 2 3
28	10 7	10 2 4	10 3 1	11 3	11 1 5	11 2 2	11 2 9	11 2 6	11 3 3	12 1 1
29	11 2	11 1 9	11 2 6	11 3 4	11 3 1	11 3 8	12 3 5	12 3 3	12 1 1	12 2 7
30	11 7	11 2 5	11 3 2	12 3	12 1 2	12 2 5	12 2 2	12 2 2	12 3 7	13 3 2
31	11 2	11 3 3	12 2 8	12 1 6	12 2 3	12 3 1	12 3 2	13 3 1	13 1 4	13 2 3
32	12 8	12 1 6	12 2 4	12 3 2	13 3	13 1 8	13 2 8	13 3 1	13 2 2	13 3 14
33	12 3	12 1 1	12 2 9	12 3 0	13 1 6	13 2 4	13 3 2	14 3 1	14 1 9	14 2 7
34	13 8	13 2 7	13 1 5	13 2 4	13 3 2	14 3	14 1 2	14 2 9	14 3 6	15 3
35	13 3	13 1 2	13 2 1	13 3 1	14 3	14 1 8	14 2 7	14 3 6	15 3	15 1
36	13 2	13 3	14 3	14 1	14 2	14 3	15 3	15 1	15 2	15 3
37	14 4	14 1	14 2	14 3	15 3	15 1	15 2	15 3	16 3	16 1
38	14 9	14 2	14 3	15 3	15 1	15 2	15 3	16 3	16 1	16 2
39	14 4	14 3	15 3	15 1	15 2	15 3	16 3	16 1	16 2	17 3
40	15 1	15 2	15 3	16 3	16 1	16 2	16 3	17 3	17 1	17 2

Tabula

168 *Tabulæ quartæ, pars quarta.*

	71	72	73	74	75	76	77	78	79	80
21	9 1 9 2 3 8	1 9 2 1 1 9	2 9 3 1 1 9	3 9 3 2 1 9	3 9 3 2 1 9	10 1 2 1 9	10 1 2 1 9	10 1 2 1 9	10 1 2 1 9	10 2
22	9 3 9 2 5 6	9 3 10 1 2 7	10 1 1 2 7	10 1 1 2 7	10 1 1 2 7	10 1 1 2 7	10 1 1 2 7	10 1 1 2 7	10 3 1 2 7	11
23	10 1 3 1 4	10 1 3 1 4	10 1 3 1 4	10 1 3 1 4	10 1 3 1 4	10 1 3 1 4	10 1 3 1 4	10 1 3 1 4	10 1 3 1 4	11 2
24	10 2 5 2 3	10 3 5 2 3	10 3 5 2 3	10 3 5 2 3	10 3 5 2 3	10 3 5 2 3	10 3 5 2 3	10 3 5 2 3	10 3 5 2 3	12
25	11 1 3 3 3	11 1 3 3 3	11 1 3 3 3	11 1 3 3 3	11 1 3 3 3	11 1 3 3 3	11 1 3 3 3	11 1 3 3 3	11 1 3 3 3	12 2
26	11 2 1 2 8	11 2 1 2 8	11 2 1 2 8	11 2 1 2 8	11 2 1 2 8	11 2 1 2 8	11 2 1 2 8	11 2 1 2 8	11 2 1 2 8	13
27	11 3 9 1 6	11 3 9 1 6	11 3 9 1 6	11 3 9 1 6	11 3 9 1 6	11 3 9 1 6	11 3 9 1 6	11 3 9 1 6	11 3 9 1 6	13 2
28	12 1 7 4 4	12 1 7 4 4	12 1 7 4 4	12 1 7 4 4	12 1 7 4 4	12 1 7 4 4	12 1 7 4 4	12 1 7 4 4	12 1 7 4 4	14
29	12 3 4 3 2	12 3 4 3 2	12 3 4 3 2	12 3 4 3 2	12 3 4 3 2	12 3 4 3 2	12 3 4 3 2	12 3 4 3 2	12 3 4 3 2	14 2
30	13 1 2 2 2	13 1 2 2 2	13 1 2 2 2	13 1 2 2 2	13 1 2 2 2	13 1 2 2 2	13 1 2 2 2	13 1 2 2 2	13 1 2 2 2	15
31	13 3 1 8 3	13 3 1 8 3	13 3 1 8 3	13 3 1 8 3	13 3 1 8 3	13 3 1 8 3	13 3 1 8 3	13 3 1 8 3	13 3 1 8 3	15 2
32	14 1 8 6 1	14 1 8 6 1	14 1 8 6 1	14 1 8 6 1	14 1 8 6 1	14 1 8 6 1	14 1 8 6 1	14 1 8 6 1	14 1 8 6 1	16
33	14 2 5 3 4	14 2 5 3 4	14 2 5 3 4	14 2 5 3 4	14 2 5 3 4	14 2 5 3 4	14 2 5 3 4	14 2 5 3 4	14 2 5 3 4	16 2
34	15 1 3 2 2	15 1 3 2 2	15 1 3 2 2	15 1 3 2 2	15 1 3 2 2	15 1 3 2 2	15 1 3 2 2	15 1 3 2 2	15 1 3 2 2	17
35	15 2 1 1 1	15 2 1 1 1	15 2 1 1 1	15 2 1 1 1	15 2 1 1 1	15 2 1 1 1	15 2 1 1 1	15 2 1 1 1	15 2 1 1 1	17 2
36	15 3 9 8 1	15 3 9 8 1	15 3 9 8 1	15 3 9 8 1	15 3 9 8 1	15 3 9 8 1	15 3 9 8 1	15 3 9 8 1	15 3 9 8 1	18
37	16 1 6 3 6	16 1 6 3 6	16 1 6 3 6	16 1 6 3 6	16 1 6 3 6	16 1 6 3 6	16 1 6 3 6	16 1 6 3 6	16 1 6 3 6	18 2
38	16 3 4 2 4	16 3 4 2 4	16 3 4 2 4	16 3 4 2 4	16 3 4 2 4	16 3 4 2 4	16 3 4 2 4	16 3 4 2 4	16 3 4 2 4	19
39	17 1 2 1 2	17 1 2 1 2	17 1 2 1 2	17 1 2 1 2	17 1 2 1 2	17 1 2 1 2	17 1 2 1 2	17 1 2 1 2	17 1 2 1 2	19 2
40	17 3 1 3 1	17 3 1 3 1	17 3 1 3 1	17 3 1 3 1	17 3 1 3 1	17 3 1 3 1	17 3 1 3 1	17 3 1 3 1	17 3 1 3 1	20

Tabulæ

Tabulæ quartæ, pars quinta. 169

	61	62	63	64	65	66	67	68	69	70
41	15 2 15 3 16 5 1 5 2 5 3	16 1 16 2 16 3 6 1 6 2 6 3	17 1 17 2 17 3 7 1 7 2 7 3	18 1 18 2 18 3 8 1 8 2 8 3	19 1 19 2 19 3 9 1 9 2 9 3	20 1 20 2 20 3 10 1 10 2 10 3	21 1 21 2 21 3 11 1 11 2 11 3	22 1 22 2 22 3 12 1 12 2 12 3	23 1 23 2 23 3 13 1 13 2 13 3	24 1 24 2 24 3 14 1 14 2 14 3
42	16 2 16 3 17 6 2 6 3 6 4	17 2 17 3 18 7 2 7 3 7 4	18 2 18 3 19 8 2 8 3 8 4	19 2 19 3 20 9 2 9 3 9 4	20 2 20 3 21 10 2 10 3 10 4	21 2 21 3 22 11 2 11 3 11 4	22 2 22 3 23 12 2 12 3 12 4	23 2 23 3 24 13 2 13 3 13 4	24 2 24 3 25 14 2 14 3 14 4	25 2 25 3 26 15 2 15 3 15 4
43	16 1 16 2 16 3 5 3 6 2 7 1	17 1 17 2 17 3 6 3 7 2 8 1	18 1 18 2 18 3 7 3 8 2 9 1	19 1 19 2 19 3 8 3 9 2 10 1	20 1 20 2 20 3 9 3 10 2 11 1	21 1 21 2 21 3 10 3 11 2 12 1	22 1 22 2 22 3 11 3 12 2 13 1	23 1 23 2 23 3 12 3 13 2 14 1	24 1 24 2 24 3 13 3 14 2 15 1	25 1 25 2 25 3 14 3 15 2 16 1
44	16 3 17 1 17 2 1 3 2 4 5	17 3 18 1 18 2 2 4 3 5 6	18 3 19 1 19 2 3 5 4 6 7	19 3 20 1 20 2 4 6 5 7 8	20 3 21 1 21 2 5 7 6 8 9	21 3 22 1 22 2 6 8 7 9 10	22 3 23 1 23 2 7 9 8 10 11	23 3 24 1 24 2 8 10 9 11 12	24 3 25 1 25 2 9 11 10 12 13	25 3 26 1 26 2 10 12 11 13 14
45	17 1 17 2 17 3 6 1 7 2 8 3	18 1 18 2 18 3 7 1 8 2 9 3	19 1 19 2 19 3 8 1 9 2 10 3	20 1 20 2 20 3 9 1 10 2 11 3	21 1 21 2 21 3 10 1 11 2 12 3	22 1 22 2 22 3 11 1 12 2 13 3	23 1 23 2 23 3 12 1 13 2 14 3	24 1 24 2 24 3 13 1 14 2 15 3	25 1 25 2 25 3 14 1 15 2 16 3	26 1 26 2 26 3 15 1 16 2 17 3
46	17 2 17 3 18 1 2 3 4 5	18 2 18 3 19 2 3 4 5 6	19 2 19 3 20 3 4 5 6 7	20 2 20 3 21 4 5 6 7 8	21 2 21 3 22 5 6 7 8 9	22 2 22 3 23 6 7 8 9 10	23 2 23 3 24 7 8 9 10 11	24 2 24 3 25 8 9 10 11 12	25 2 25 3 26 9 10 11 12 13	26 2 26 3 27 10 11 12 13 14
47	17 3 18 1 18 2 6 3 7 1 8 2	18 3 19 1 19 2 7 3 8 1 9 2	19 3 20 1 20 2 8 3 9 1 10 2	20 3 21 1 21 2 9 3 10 1 11 2	21 3 22 1 22 2 10 3 11 1 12 2	22 3 23 1 23 2 11 3 12 1 13 2	23 3 24 1 24 2 12 3 13 1 14 2	24 3 25 1 25 2 13 3 14 1 15 2	25 3 26 1 26 2 14 3 15 1 16 2	26 3 27 1 27 2 15 3 16 1 17 2
48	18 1 18 2 18 3 1 4 5 6 7	19 1 19 2 19 3 2 5 6 7 8	20 1 20 2 20 3 3 6 7 8 9	21 1 21 2 21 3 4 7 8 9 10	22 1 22 2 22 3 5 8 9 10 11	23 1 23 2 23 3 6 9 10 11 12	24 1 24 2 24 3 7 10 11 12 13	25 1 25 2 25 3 8 11 12 13 14	26 1 26 2 26 3 9 12 13 14 15	27 1 27 2 27 3 10 13 14 15 16
49	18 2 18 3 19 7 1 8 2 9 3	19 2 19 3 20 8 1 9 2 10 3	20 2 20 3 21 9 1 10 2 11 3	21 2 21 3 22 10 1 11 2 12 3	22 2 22 3 23 11 1 12 2 13 3	23 2 23 3 24 12 1 13 2 14 3	24 2 24 3 25 13 1 14 2 15 3	25 2 25 3 26 14 1 15 2 16 3	26 2 26 3 27 15 1 16 2 17 3	27 2 27 3 28 16 1 17 2 18 3
50	19 1 19 2 19 3 2 5 6 7 8	20 1 20 2 20 3 3 6 7 8 9	21 1 21 2 21 3 4 7 8 9 10	22 1 22 2 22 3 5 8 9 10 11	23 1 23 2 23 3 6 9 10 11 12	24 1 24 2 24 3 7 10 11 12 13	25 1 25 2 25 3 8 11 12 13 14	26 1 26 2 26 3 9 12 13 14 15	27 1 27 2 27 3 10 13 14 15 16	28 1 28 2 28 3 11 14 15 16 17
51	19 2 19 3 20 3 6 7 8 9	20 2 20 3 21 4 7 8 9 10	21 2 21 3 22 5 8 9 10 11	22 2 22 3 23 6 9 10 11 12	23 2 23 3 24 7 10 11 12 13	24 2 24 3 25 8 11 12 13 14	25 2 25 3 26 9 12 13 14 15	26 2 26 3 27 10 13 14 15 16	27 2 27 3 28 11 14 15 16 17	28 2 28 3 29 12 15 16 17 18
52	19 3 20 1 20 2 4 7 8 1 9 2	20 3 21 1 21 2 5 8 9 2 10 3	21 3 22 1 22 2 6 9 10 3 11 4	22 3 23 1 23 2 7 10 11 4 12 5	23 3 24 1 24 2 8 11 12 5 13 6	24 3 25 1 25 2 9 12 13 6 14 7	25 3 26 1 26 2 10 13 14 7 15 8	26 3 27 1 27 2 11 14 15 8 16 9	27 3 28 1 28 2 12 15 16 9 17 10	28 3 29 1 29 2 13 16 17 10 18 11
53	20 1 20 2 20 3 8 1 9 2 10 3	21 1 21 2 21 3 9 1 10 2 11 3	22 1 22 2 22 3 10 1 11 2 12 3	23 1 23 2 23 3 11 1 12 2 13 3	24 1 24 2 24 3 12 1 13 2 14 3	25 1 25 2 25 3 13 1 14 2 15 3	26 1 26 2 26 3 14 1 15 2 16 3	27 1 27 2 27 3 15 1 16 2 17 3	28 1 28 2 28 3 16 1 17 2 18 3	29 1 29 2 29 3 17 1 18 2 19 3
54	20 2 20 3 21 3 7 8 9 10	21 2 21 3 22 4 8 9 10 11	22 2 22 3 23 5 9 10 11 12	23 2 23 3 24 6 10 11 12 13	24 2 24 3 25 7 11 12 13 14	25 2 25 3 26 8 12 13 14 15	26 2 26 3 27 9 13 14 15 16	27 2 27 3 28 10 14 15 16 17	28 2 28 3 29 11 15 16 17 18	29 2 29 3 30 12 16 17 18 19
55	20 3 21 1 21 2 8 3 9 1 10 2	21 3 22 1 22 2 9 3 10 2 11 3	22 3 23 1 23 2 10 3 11 3 12 4	23 3 24 1 24 2 11 3 12 4 13 5	24 3 25 1 25 2 12 3 13 5 14 6	25 3 26 1 26 2 13 3 14 6 15 7	26 3 27 1 27 2 14 3 15 7 16 8	27 3 28 1 28 2 15 3 16 8 17 9	28 3 29 1 29 2 16 3 17 9 18 10	29 3 30 1 30 2 17 3 18 10 19 11
56	21 1 21 2 21 3 4 8 9 10 11	22 1 22 2 22 3 5 9 10 11 12	23 1 23 2 23 3 6 10 11 12 13	24 1 24 2 24 3 7 11 12 13 14	25 1 25 2 25 3 8 12 13 14 15	26 1 26 2 26 3 9 13 14 15 16	27 1 27 2 27 3 10 14 15 16 17	28 1 28 2 28 3 11 15 16 17 18	29 1 29 2 29 3 12 16 17 18 19	30 1 30 2 30 3 13 17 18 19 20
57	21 2 21 3 22 9 1 3 2 7 3	22 2 22 3 23 10 1 4 3 8 4	23 2 23 3 24 11 1 5 4 9 5	24 2 24 3 25 12 1 6 5 10 6	25 2 25 3 26 13 1 7 6 11 7	26 2 26 3 27 14 1 8 7 12 8	27 2 27 3 28 15 1 9 8 13 9	28 2 28 3 29 16 1 10 9 14 10	29 2 29 3 30 17 1 11 10 15 11	30 2 30 3 31 18 1 12 11 16 12
58	22 1 22 2 22 3 1 2 9 3 2 8	23 1 23 2 23 3 2 3 10 4 3 9	24 1 24 2 24 3 3 4 11 5 4 10	25 1 25 2 25 3 4 5 12 6 5 11	26 1 26 2 26 3 5 6 13 7 6 12	27 1 27 2 27 3 6 7 14 8 7 13	28 1 28 2 28 3 7 8 15 9 8 14	29 1 29 2 29 3 8 9 16 10 9 15	30 1 30 2 30 3 9 10 17 11 10 16	31 1 31 2 31 3 10 11 18 12 11 17
59	22 2 22 3 23 9 3 4 2 9 1	23 2 23 3 24 10 4 5 3 10 2	24 2 24 3 25 11 5 6 4 11 3	25 2 25 3 26 12 6 7 5 12 4	26 2 26 3 27 13 7 8 6 13 5	27 2 27 3 28 14 8 9 7 14 6	28 2 28 3 29 15 9 10 8 15 7	29 2 29 3 30 16 10 11 9 16 8	30 2 30 3 31 17 11 12 10 17 9	31 2 31 3 32 18 12 13 11 18 10
60	22 3 23 1 23 2 1 5 2 10 3 5	23 3 24 1 24 2 2 6 3 11 4 6	24 3 25 1 25 2 3 7 4 12 5 7	25 3 26 1 26 2 4 8 5 13 6 8	26 3 27 1 27 2 5 9 6 14 7 9	27 3 28 1 28 2 6 10 7 15 8 10	28 3 29 1 29 2 7 11 8 16 9 11	29 3 30 1 30 2 8 12 9 17 10 12	30 3 31 1 31 2 9 13 10 18 11 13	31 3 32 1 32 2 10 14 11 19 12 14

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42	18 5	18 6	18 3	19 6	19 7	19 2	19 3	20 8	20 9	20 2
43	19 3	19 1	19 4	19 3	19 5	20 5	20 1	20 7	20 3	21 1
44	19 1	19 2	19 3	20 3	20 4	20 5	21 7	21 3	21 1	21 2
45	19 8	20 3	20 1	20 2	20 3	21 1	21 2	21 3	22 3	22 2
46	20 6	20 2	20 3	21 9	21 1	21 2	22 5	22 1	22 2	23 3
47	20 4	21 6	21 7	21 3	21 9	22 1	22 3	22 4	23 6	23 1
48	21 3	21 4	21 2	21 6	22 3	22 2	22 3	23 4	23 6	24 3
49	21 2	22 3	22 4	22 1	22 2	23 3	23 1	23 2	23 3	24 2
50	22 7	22 2	22 3	23 2	23 5	23 7	23 3	24 2	24 5	25 2
51	22 5	22 3	23 1	23 3	23 2	23 3	24 1	24 2	24 3	25 1
52	23 3	23 6	23 1	23 2	24 2	24 1	24 1	25 1	25 4	26 2
53	23 3	23 4	23 3	24 7	24 2	24 3	25 1	25 2	25 3	26 3
54	23 8	23 2	24 1	24 5	24 3	25 1	25 2	25 3	26 1	26 2
55	24 6	24 1	24 3	25 3	25 1	25 2	26 1	26 2	26 3	27 1
56	24 4	25 3	25 2	25 3	26 6	26 1	26 2	26 3	27 2	27 3
57	25 1	25 3	25 2	26 1	26 1	26 2	27 1	27 1	27 3	28 2
58	25 9	26 2	26 1	26 3	27 8	27 2	27 3	28 6	28 1	29 2
59	26 7	26 1	26 3	27 6	27 3	28 1	28 1	28 3	29 2	29 1
60	26 5	27 5	27 1	27 3	28 5	28 2	28 3	29 5	29 1	30 3

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62		24 1	24 6	24 2	25 7	25 2	25 3	26 8	26 3	27 9
63			24 3	25 1	25 3	25 9	26 1	26 3	27 6	27 3
64				25 4	26 6	26 3	26 8	27 4	27 2	28 1
65					26 6	26 1	27 3	27 5	28 1	28 7
66						27 9	27 5	28 3	28 8	29 1
67							28 2	28 9	29 5	29 3
68								28 6	29 3	29 3
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Tabulæ

Bay. Surely this is a necessarie booke for him that is imployed in matters of great quantitie. For if it should bee all cast vp with the pen, it would aske much labour, and waste much paper: and yet I know, simple Countrey fellows will *Country* cast it vp very speedily, euē by their memories, by *land meas-* money; as one penny to a Perch, foure perches to *uers will cast* a day-twoke, ten day-twokes one Rode, foure *by memory,* Rode one Acre, thre Shillings foure pence, is for the pence, and forty Perches, one Rode, one hundred & thre score pence, make thirtene Shillings and foure pence, or a Marke of money, and one *Casting by* hundred and thre score Perches one Acre. *So the parts of* that twenty pound makes thirtie Acres, forty *money,* pound thre score Acres, a hundred pound one hundred and fiftie Acres; and so forth. But this kinde of casting is troublesome, when it riseth to great portions, and many parcels. And therefore for my part, I could willingly embrace these tables for my ease, and leaue this accompt by money, vnto such as haue not the vse of learning to ayde their memories.

Sur. I haue obserued, that many vnlearned men haue better and more retentive memories, then haue some Schollers.

Bay. So haue I noted, and I know some, that *All Schol-* will by memorie do very much, and no doubt, the *lers haue* reason is, because Schollers doe commit their *not best me-* memories to the pen; where such as haue not the *mories.* vse of the pen, must vse the memorie only, which being fed with continuall pondering the things they delight in, becomes as a Calender of their accounts. King Cyrus could name al his souldiers *Admirable* by memory. And Pliny reporteth of Mechridates, *memories of* that hauing vnder his government 22. king, *some great* domes, or nations, could speake all their language, *persons.*

ges, and vnderstand any tongue without an interpreter. And Scipio could remember the names of the soldiers of all the Romans armie.

Some would forget, and cannot.
Sur. Vse memory, & haue the vse of memory, either Schollers or vnlearned; if they vse not their memories, they eā make little vse of their memories. On the other side, he that imprinteth too many things in his memory, shal, & some haue oftentimes wished, they could not remember so well, & that they had the art of forgetting, to cleare the memory of ϕ they would not retaine in memory: for many times a fresh & free memorie heapeth vp so many things in his thought, that it breedeth such cōfusion, that what it should indeed retaine, is oftē cōfounded with that which it would forget.

Bay. I wish therefore that my memo^{ry} could retaine according to occasion, to forget things whereof I haue no necessarie vse, and to remember things expedient: yet surely, although the thought can apprehend but one object at one instant, the memo^{ry} may well apprehend and retaine many things. But Sir, omitting this, I entreat you to shew mee the vse of these Tables which you haue shewed me.

The vse of the former Tables.

Sur. The vse is very plain & easie: propoūd you a nūber of perches, the lēgth & bredth of a grouūd.

Bay. If a pēce of grouūd be in length fiftie two Perches, and in bredth twenty sixe, where, and how shall I finde the content in the Tables?

Sur. Looke the third Table, the fourth part of the Table, in the vpper ranke, whereof in the third Collum, you shall finde 52. then looke in the first Collum for 26. then referre your finger and eye towards the right hand, till you come right vnder 52, and that square answeres the content to be thus

8
3

Bay.

Bay. What meane you by making the figures in the angles of the square?

Sur. Because the 4. angles doe demonstrate the acres & parts of an acre. The vpper angle on the left hand sheweth the Acres, the vpper angle on the right hand, the roodes; the lower angle on the left hand, the day works, and the lower angle on the right hand, the odde perches.

Bay. This is very easie. But I see there are no figures in the 2. angles on the right hand, neither above nor below.

Sur. When it falleth so out, that there are none of the denominations found in the number, then his place is left blanke.

Bay. When this abovesaid quantitie is 8. acre and 5. day-works, which is twenty perches, and twenty perches is $\frac{1}{2}$ Roode.

Sur. You are right.

Bay. Then if the number of perches bee lesse, I must seeke them in the lesser Tables; if greater, in the greater.

Sur. You must do so.

Bay. Yet there resteth one scruple in my mind, which if it should happen befoze I bee resolved, would breed a great doubt, and therefore I am bold to aske it. What is, if the length of a ground be moze perches, then is expessed in any of the Tables, how shall I find it, when no Table reacheth so farre?

How to finde

Sur. You doe well to cast all doubts. If the length be more then the tables will yeeld, where-
of indeede the most is foure score perches: Take
first 80. perches out of the whole summe, and
then seeking the bredth in the Table as before is
shewed, you shall finde the content of that part.
Then if the bredth be more then the remanent of

*the quantity,
when the
number of
perches ex-
ceede any
table in the
booke.*

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the length, let the bredth bee the length, and the remanent of the length, the bredth. And seeke them likewise in the Tables, and what ariseth of both the numbers, adde together: As for example: A ground is 119. perches in length, and 67. in bredth: the whole length is not in the Tables to bee found: then I find 80. and that is the length, and 67. the bredth, which the Table sheweth to be 33-2-0-0. There remaineth of the whole length 39. which is a lesser number then the bredth: therefore I make 39. the bredth, and 67. the length, which the Table sheweth to be 16. 1-3-1. which added to the first number 33-2-0-0. maketh in the whole 49-3-3-1.

Bay. I see, this Table will serue for the finding of the quantitie of any summe, and I doe vnderstand it well. But I pray you what Table is that you haue here?

Sur. A necessarie Table for some purposes. It sheweth how to lay out a iust Acre of land, the length, or bredth being giuen.

Bay. Indeede it is a necessarie Table: for euery man can not vpon the suddaine: for I take, it is very hard without Arithmeticke, to lay out a iust acre to euery length or bredth.

Sur. This can indeed hardly be done by gesse, it requireth arte.

Bay. This is the Table, I pray you shew me the vse of it.

Bredth,

Bredth.	Length of an Acre.	
Perches broad.	Perches long, and their parts.	Fete, & their parts.
1	160	
2	80	
3	$53\frac{1}{4}$	$1\frac{1}{2}$
4	40	
5	32	
6	$26\frac{1}{2}$	3
7	$22\frac{3}{4}$	$1\frac{11}{12}$
8	20	
9	$17\frac{3}{4}$	6
10	16	
11	$14\frac{1}{2}$	9
12	$13\frac{1}{4}$	$1\frac{1}{2}$
13	$12\frac{1}{4}$	1
14	$11\frac{1}{4}$	3
15	$10\frac{1}{2}$	3
16	10	
17	$9\frac{1}{4}$	$2\frac{7}{12}$
18	$8\frac{3}{4}$	1
19	$8\frac{1}{4}$	3
20	8	

Bredth.	Length of an Acre.	
Perches broad.	Perches long, & their parts.	Fete, & their parts.
21	$7\frac{1}{2}$	$2\frac{3}{12}$
22	$7\frac{1}{4}$	$\frac{4}{12}$
23	$6\frac{3}{4}$	$3\frac{2}{12}$
24	$6\frac{1}{2}$	$2\frac{8}{12}$
25	$6\frac{1}{4}$	$2\frac{6}{12}$
26	6	$2\frac{7}{12}$
27	$5\frac{3}{4}$	3
28	$5\frac{1}{2}$	3
29	$5\frac{1}{4}$	$\frac{4}{12}$
30	$5\frac{1}{4}$	$\frac{4}{12}$
31	5	$2\frac{7}{12}$
32	5	
33	$4\frac{3}{4}$	$1\frac{8}{12}$
34	$4\frac{1}{2}$	$3\frac{4}{12}$
35	$4\frac{1}{2}$	$1\frac{2}{12}$
36	$4\frac{1}{4}$	$3\frac{2}{12}$
37	$4\frac{1}{4}$	$1\frac{3}{12}$
38	4	$3\frac{5}{12}$
39	4	$1\frac{8}{12}$
40	4	

Bredth.	Length of an Acre.	
Perches broade.	Perches long, and their parts.	Feete, & their parts.
41	3 $\frac{3}{4}$	2 $\frac{7}{12}$
42	3 $\frac{3}{4}$	1 $\frac{1}{3}$
43	3 $\frac{1}{2}$	3 $\frac{7}{12}$
44	3 $\frac{1}{2}$	2 $\frac{1}{4}$
45	3 $\frac{1}{2}$	$\frac{11}{12}$
46	3 $\frac{1}{4}$	3 $\frac{7}{12}$
47	3 $\frac{1}{4}$	2 $\frac{1}{2}$
48	3 $\frac{1}{4}$	1 $\frac{1}{3}$
49	3 $\frac{1}{4}$	$\frac{1}{4}$
50	3	3 $\frac{1}{6}$
51	3	2 $\frac{1}{4}$
52	3	1 $\frac{1}{4}$
53	3	$\frac{1}{3}$
54	2 $\frac{3}{4}$	3 $\frac{5}{12}$
55	2 $\frac{3}{4}$	2 $\frac{7}{12}$
56	2 $\frac{1}{4}$	1 $\frac{9}{12}$
57	2 $\frac{1}{4}$	$\frac{11}{12}$
58	2 $\frac{1}{4}$	$\frac{1}{6}$
59	2 $\frac{1}{2}$	3 $\frac{5}{12}$
60	2 $\frac{1}{2}$	2 $\frac{2}{3}$

Bredth.	Length of an Acre.	
Perches broad.	Perches long, & their parts.	Feete, & their parts.
61	2 $\frac{1}{2}$	2 $\frac{1}{6}$
62	2 $\frac{1}{2}$	1 $\frac{1}{3}$
63	2 $\frac{1}{2}$	$\frac{2}{3}$
64	2 $\frac{1}{2}$	
65	2 $\frac{1}{4}$	3 $\frac{5}{12}$
66	2 $\frac{1}{4}$	2 $\frac{10}{12}$
67	2 $\frac{1}{4}$	2 $\frac{1}{4}$
68	2 $\frac{1}{4}$	1 $\frac{2}{3}$
69	2 $\frac{1}{4}$	1 $\frac{1}{6}$
70	2 $\frac{1}{4}$	$\frac{7}{12}$
71	2 $\frac{1}{4}$	$\frac{1}{12}$
72	2	3 $\frac{2}{3}$
73	2	3 $\frac{1}{4}$
74	2	2 $\frac{2}{3}$
75	2	2 $\frac{2}{6}$
76	2	1 $\frac{2}{3}$
77	2	1 $\frac{1}{3}$
78	2	$\frac{11}{12}$
79	2	$\frac{1}{3}$
80	2	

Ser. The vse of this Table is onely to bee required, when a man is suddenly to set forth an acre of land lyimited in length or bredth, how far it shall extend. As for example, There is a peece of land containing many acres, and there are to be set out of this 1. 2. 3. 4. or more acres. First, the length must be considered. If the length be 77. perches: finde that in the first Collum of the Table, and right against it, you shall finde the bredth to be two perches, 1. foot, 4. inches, which maketh an acre.

Bay. But where you say, I shall finde the length in the first Collum of the Table, it is in the head of the Collum noted for the bredth.

Ser. It is so in deed: for that Collum may be reputed to containe both the length and bredth.

Bay. How can that be?

Ser. Vntill the bredth do exceed the length, it may be saide the Collum of bredth. But when the bredth surmounteth the length, the length may be said the bredth.

Bay. I vnderstand you: reason will obserue that, without serious instruction. But this Table, I see, extendeth but to the length and bredth of one acre: if a man bee occasioned to lay out more, he is as farre to seek, as if he had no Table at all.

Ser. Not so: for if you obserue it, you are to double, treble or quadreble, the length or bredth, as you haue occasion. As for example: *How to lay out many acres by the former Table.* If you would lay out 3. Acres, and admit your length be 48. perches, which to make one Acre, is to haue in bredth 3. perches, and a quarter, 1. foote and foure inches, which three perches, $\frac{1}{4}$ being taken three times, make nine perches, $\frac{3}{4}$ and foure foote. And thus of length

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length and breadth, how many Acres fouer are to be let out.

*Perches dy-
ners in di-
ners Coun-
treys.*

Bay. If in deed, this Table may serue by due obseruation for the laying out of any quantitie, But now Sir, there is one thing which will breed some difficulty: for the difference of the quantitties of Acres, is great in diuers Countries, by the custome of the Countreys: for by the custome of some Countreys, their measure is 24. fote to the Pole, in some 20. in some 18. and yet the Statute alloweth onely $16 \frac{1}{2}$ fote.

Sur. You say truely. Yet, when a *Surveyor* undertaketh to lay out the land in any of these, he is to measure it by the standard chaine: that is, by the chaine of $16 \frac{1}{2}$ fote.

Bay. But the Country people, peraduenture will be obstinate, & will haue the custome measure, because they will haue the content of their land seeme the lesse: and so shall they rent their ground the more easie, hauing it by the greater measure.

*A Cornish
Acre.*

*The great or
small mea-
sure all one
to the Lords.
Good mea-
sure.*

Sur. That is but a conceit that they shal haue it the cheaper: for admit that an acre were as big as the Cornish acre, neere 140. Statute Acres: will any man thinke a Lord or his officers so simple as to grant the same, because it hath but the name of an acre, as he would let the statute Acre: It is nothing to the Lord what measure they take: for he must, & will appoition the price, according to the quantity and qualitie, bee the Acre great or little.

Bay. But woods are alwayes measured with the Pole of 18. fote.

Sur. It is as the Buyer and Seller agreeth: for there is no such matter decreed by any statute, neither is any bound of necessitie.

Bay,

Buy. Why is it then in use?

Svr. I take it, because in vnderwoods; (for *Why Woods* they are they that are thus measured) for sale they *are measu-* haue in many places, sundry void places & galles, *red with* wherein groweth little or no wood, or very thin. *the 18. foote* And to supply these defects, the buyer claymeth *pole.* this supply by measure.

Buy. The difference is but a foote, and $\frac{1}{2}$ in a pole, which is nothing.

Svr. Yes, it is some thing, for in euery $5\frac{1}{2}$ *Great difference be-* Acre, it gayneth aboute an Acre.

Buy. So might I haue bene deceiued. For *weene the* truly, I did not thinke it had gotten so much. *18. and* But I pray tohence is the word Acre deriued? *16 $\frac{1}{2}$ pole.*

Svr. As I take it, from the Latine word, *Actus.* *Whence an* A deede: a dayes worke of a plowe, in tilling the *Acre takes* ground. *name.*

Buy. It may be so. For a plew will apye an Acre a day.

Svr. We reade in 1. Sam. 14. 14. that halfe an Acre of land was as much as 2. oxen could plow; And that is it which the *Burgundians*, & others in *France* doe call *lournaux*, which I take, is as much as *Ingerum* in Latine, which containeth as much, as two Oxen or Horfe can till in a day: in length 240. foote, and in bredth 120. which seemeth neere to agree with our Acre.

Buy. We haue 4. or 5. hoyses, or 2 or 3. yoke of Oren to till an Acre a day, where the former *Ingerum* hath but 2. But the French haue ano- *An Arpent,* ther kinde of Acre, which they call an Arpent, *or French* which amongst them differeth in quantite, as *Acre,* ours doe differ in severall kindes of Poles: And their Arpent is 100. Pole, howsoener the Poles do differ. One Pole they haue, which containeth 22. foote, and that is called The Kings Arpent, *The kings* and *Arpens.*

and bled most in measuring of wood: another of 20 foote, another of $19\frac{1}{3}$ foote, another of 18. foote. So that in deede, their Arpent both little differ in his severall quantittie, from our Acre.

Sur. I obserue one thing by the way, because you speake of *the Kings Arpent* in France, and other measures there. I haue seene in ancient Records, and bookes of *Survey* of great antiquitie, which doe shewe, that the *Lords demaifnes* were measured with a Pole of 20.foote, which was called *maior mensura*, & the customary by a Pole, called *mensura minor*: which I take to bee but $16\frac{2}{3}$ foote, though in some places the Tenants claime the 18.foote Pole.

*Maioꝛ &
minoꝛ men-
sura.*

Bay. Then, let me aske you another question: You shall shortly come into a *Spannoꝛ* of my Land-lozbs, where the Coppes doe speake of an Acre ware, or warr: which I neuer could finde, so heare what it truly meant, noꝛ what quantitie it containeth. But the Tenants make good vse, in their conceits, of the name: soꝛ vnder that title, they will carry away 2. 3. 6. 10. Acres, though they lie in 20. parcels, it is all but an Acre warr: and yet I haue seene some, vnder that title not 3. Rodes of ordinary measure. Woe comes it to passe, thinke you?

Sur. To speake truly, I cannot precisely tell you: for I haue seene the like, especially in *Suff. Norff. and Essex*: But as I coniecture, it is a measured acre, as an Acre by warrant. *Acre warre*, an approued Acre: and the true sence being lost by time, they make it like a finger of waxe, to drawe it more or lesse, as will best serue their purpose.

Molland.

Bay. I haue also seene Land, vnder the name of *Molland*, and I haue heard much disputation about the etimion of the word: Some holde it to be

to de Mollende, of custome grinding at the
Lords mill, some otherwise, and leaue it un-
certaine.

Sw. There is no difficultie in it; for *Molland Molland*
is vp-land, or high ground, and the contrary is *and Fenland*
Fenland, low ground, a matter ordinary, where they *contrary*.
vse to distinguish betweene these two kindes. But
we will leaue these ambiguous words, and so take
my leaue, and betake me to my taske.

Bay. Sir, I will not be troublesome vnto you:
onely, when you haue cast vp your particulars,
and finished your businesse of this Suruey, I will
bee bold to trouble you againe, to see what euery
man holdeth, and the value both of the customa-
ry leasd lands, and the Lords demaynes. Whay
I be so bold?

Sw. It is a thing which I seldome consent vnto; for I must tell you this, he is no true Surueyor *and Surueyor*
for the Lord, that will make the same knowne to *must be se-*
strangers. I haue vndertaken the busines for the *cret for his*
Lord, not for strangers: And as he putteth me in *Lord.*
trust, so will I bee secret in these things, & there-
fore I pray you in this pardon me.

Bay. You shew me reason, and I was too rash.
But by your leaue, how shall the Fartie giue their
allowance to your doings (as you say, you will
acquaint them with them) vnlesse you deliuer
euery particular plainly?

Sw. You must thinke, there are some things
which may be publique, as the names of grounds,
the owners, their estates, buts, boũds, & such like,
& their answers to the Articles; And some things
priuate, & to be concealed, as the quantities, and
supposed yeerely values. These are for the Lord.

Bay. I thought I should haue seene the whole
method of your collections and observations, to
the end, that seeing I haue waied thus farre in-
to

to the Art, I might be somewhat instructed, how to haue marshaled and ingrossed my Booke, when such a worke were done.

Snr. Every man in that case, may vse his owne method: yet if you bee desirous to see an exact course, in that kinde, I must reterre you to the most commendable worke of Master *Valentine Leigh*, whom in that if you imitate, you shal tread the right way to the marke.

*M. Leas
booke of
Surveying.*

Bay. When, I shall onely remaine thankesfull vnto you, for your patience, and paynes: and bee studious enermore, to doe you an seruice.

Snr. I thanke you. I haue a desire to haue some communication with you, when I haue past ouer this little worke in hand.

Bay. Willingly, Sir, I will giue my diligent attendance. But I pray you, Sir, in what especially do you purpose to conferre with me: to pose me, I feare, whether I haue forgotten that you taught me.

Snr. Not so: but you being Bayly of this Manor (about which I haue, as you see, taken a serious perambulation) haue not, as I perswade me, bene so carefull & prouident for the Lords profit, as you may: for there bee diuers grounds, which good and industrious husbandry would be much bettered, as I will tell you further, at our next leasurablen meeting. For this time, fare you well.

The end of the fourth Booke.



The Surueiors Dialogue, shewing the
different natures of Grounds, how they
 may be imployed, how they may be
 bettered, reformed, and
 amended.

* * *

THE FIFT BOOKE.

Baily.



Perceiue, Sir, you are now at some lea-
 sure, you are walking abroad to take the
 ayre, after your long and tedious sitting,
 and I thinke indæde you are weary.

Sur. I am somewhat wearie : but a
 man that vndertaketh a businesse, must
 apply it, and not be wearie, or at least,
 not seeme to be so.

Baylie. But mee thinkes you apply it too hard, you might
 sometimes ease you, and giue your selfe to some game for
 recreation.

Sur. They that are idle, may take their pleasures in ga-
 ming : but such as are called to liue by their labors, and
 haue a delight therein, doe (as all men ought) take plea-
 sure, and thinke it a pleasing sport, to get meanes by their
 lawfull labours to liue.

Labour
 that lawfull
 ly gets is a
 game of de-
 light.

¶

Baylie.

Baylie. You say truth indeede: for the olde Proverbe is, Dulcis labor cum lucro. But I pray you, whither walke you?

Sur. Into this next peece of ground.

Baylie. Nay, it is an ill ground to walke in: for it is full of bogges, a very morish plot, overcome with wades, and indeede, is of no use.

Sur. I therefore goe to see it, and worthely to attach you the Lords Bailly, of remifnesse and negligent looking vnto the Lords profite, suffering such a peece of ground as this, to lye idle and waste, and to foster nothing but Bogges, Sedges, Flagges, Rushes, and such superfluous and noysome weedes: where, if it were duly drayned, and carefully husbanded, it would make good meddow in short time.

Baylie. I thinke that impossible: for there bee many such plots you see in this leuell, and in many mens occupations, and some of them thinke themselves good husbands, I can tell you: and they see, that it is a matter of difficulty and charge, and therefore they thinke, and so doe I, that it is to no purpose to begin to amend it.

Sur. I thinke they haue more land, then they, or you haue experience how to conuert to best vse, they their owne, and you your Lords.

Baylie. If you be so skilfull, I pray tell mee for the Lords profite, how it may be amended.

Sur. If you be ignorant how to amend it, and simply desire to learne, it were a fault in mee to conceale from you the meanes how to doe it. But if you be carelesse or wilfull, it were good to leaue you in your ignorance, and to informe the Lord of your vnfitnessse, that a more skilfull might take the place.

Baylie. That is the worst that you can doe. But I trust I may be a Baylie good enough, and yet want one part of that, which my place requireth to performe.

Sur.

Sur. Euen as well as a horse may be said to trauaile well enough, and yet lacke one legge.

Baylie. I would be sorie, that comparison should hold: for then I could not but confesse, that I were a lame Officer, as there be in other kinds, euen of your owne profession many. But I am not onely not wilfull, but I am willing to learne: and I doe not thinke any man so absolute in his place and calling, but he may learne some poynt of his function, if at least he will confesse his owne imperfections

All men
may learne.

Sur. Whether he verbally confesse them or not, the execution will bewray them, and the world will obserue them in him by the fruites. And therefore it behooueth all such as vndertake, and enter into any office or function, to examine the duties appertaining to such an office: and finding his fitnesse or vnfitnesse, to performe it, so to leaue or take, (though few stagger at any:) If his abilitie be weake, reason and dutie may moue him to seeke expedient knowledge, least he shame himselfe, and slander the place he is in, deceiue his master, and wrong the people. And therefore I wish you to aske aduice, not onely in this case, but in all other belonging to your charge. For as it is commendable to know more and more: so is it no shame to aske often.

Baylie. I pray you then tell me, Sir, how must this peece of ground be handled, to be made meddow (as you say it wil be made) or good pasture.

Sur. It must be drayned.

Baylie. If that be all, I thinke, I can say it is to little purpose: for I haue made trenches to that end, as you may see where, and how. But it became little or nothing the better, and therefore I thinke, cost will be but cast away vpon it.

Sur. It is a true Prouerbe: *Ignorance is an enemy to art and experience.* What you did, it may be, you had good will to doe the Lord seruice in it: but the course you

Ignorance
enemie to
art.

took, was not in the right kind. It is not enough to make such ditches, as appeareth you haue done, they are too few and too wide. Neither did you rightly obserue the fall of the water.

Bayly. That were hard to be done in such a place as this, where the water hath no fall at all, neither is the water same much, as you see, but it is the moistnesse of the earth that marres the land.

Sur. But the moisture comes by water, and the water is swallowed vp in this spungie ground, and lyes vn-seene: yet if you marke it well, you may obserue, which way it reeles: for as you see, though this plot of ground be very leuell in apparance, yet if it were tryed by a iust leuell, it would be found declining towards yonder forlorne brooke, which you see is stopt vp with weeds, that it permitteth not the water conuenient passe. Therefore the first work is, to rid the Sewer or chiefe water-course, and then shall you see, that the grounds neere the cleansed brooke, will become more drie, by the moisture soking into the Sewer: then make your other draines: vsing discretion therein: namely, in cutting them straight, from the most boggy places, to the maine brooke, euery of them as it were paralelly: then cut you some other draines sloping, which may carry the water into these first draines, which againe will conuey it into the maine.

Bayly. You see the ditches that I made, they were broad enough and deepe, fit to conuey much water, yet they did no good: can you prescribe a better forme?

Sur. Your ditches, for the forme, were too broad, and (as it seemes) too deepe, and that makes the water to stand in them, and being broad aboue, and narrow in the bottome, makes the loose earth to fall in and choake the ditch. But if you will make profitable draines, you must
first

first obserue, how the water will runne in them: for so will it appeare presently, and to make them as narrow aboue, as at the bottome, which at the most must not bee aboue one foote and a halfe broad, and the crust of the earth will hold, that the earth fall not in againe. So will it in short time make it appeare, that the moisture will decay, and the grounds become more drie: and as it becomes freed of the superfluous moisture: so will the weedes that are nourished by it, beginne to wither as they are depriued of their nouriture, which is too much water, which breedeth too much cold: and too much cold is the life of such weedes as encrease in this ground: and therefore the weedes should be often cut downe in the spring time, and by that meanes they will consume, and better grasse come in their steede: and the better, if cattle feede the ground, vpon the draining, as bare as may be.

Cold ground
breedes
weedcs.

Baylie. But the draincs you speake of, may be dangerous for cattle, especially for sheepe and lambs.

S^r. Not, if they be kept alwaies cleansed, and open, that sheepe and cattle may see them: for the bigger sort may steppe ouer then, and the lesser may haue little bridges of the same crust, by vndermining the earth some three or foure foote, that the water may passe vnder.

Bridges o-
uer draincs

Baylie. And eue, if the crust of the earth will beare it, this course is necessary. But there is much land in England lost for want of draining, as the Fennes and low grounds in Lincolne-shire, Cambridge-shire, Norfolke, and other places, which I did thinke impossible euer to be made drie, by the art and industry of man. And yet as I heare, much of it is made lately firme ground, by the skill of one Captaine Louell, and by M. William Englebert an excellent Ingenor and others. And truly it is much to their owne commendation, and to the common good of the inhabitants nere. But these

The Fennes

Captaine
Louell.
M. William
Englebert.

grounds are not drained by such meanes as you speake of.

Sur. Indeed, the draines are of vnlike quantity, but like in qualitie: one and the same rule of reason doth worke both the one and the other effect. But to say truly vnto thee, the people of those Countries (especially the poorer sort) where this kind of publike benefite is thus gotten, had rather haue the want by their fathers error, then to reape good, and more plenty by other mens art and charge. And in their conceites they had rather catch a *Pike*, then feede an Oxe.

Baily. They are either very vnwise, or very wilfull. But (no doubt) authoritie is aboue such country wilfulnessse, and doth or may enforne them, for the Common weale, to consent and yeld all aide in the businesse. But if they will needs fish and fowle, and refuse rich reliefe, we will leaue them to their wils, till reason in themselves, or compulsion bring them to a more general desire of so great a blessing.

Sur. Let it be so: What *Alders* are in the next ground?

The Alder
tree enemie
to all
grounds.

Baylie. They are the Lords too, Sir: but the ground is so rotten, that no cattle can feede in it.

Sur. The *Alder* tree is enemie to all groundes where it growes: for the roote thereof is of that nature, that it draweth to it so much moisture to nourish it selfe, as the ground neere it, is good for no other vse.

Baylie. Doe you thinke this ground would be good, if the trees were gone?

Sur. Yes: for commonly the ground is good enough of it selfe, onely it is impaired by this kind of wood: and therefore if the cause were taken away, the effect would die.

Baylie. Then will I cause them to be stocked by.

Sur. Nay, first it behooueth you to consider, whether
it

it be expedient or not: for although this tree be not friendly to pasture, meddow, or arable land, yet it yeelds her due commoditie too, without whose aide, in some places, where other wood is scant, men can hardly husband their lands without this. For of it they make many necessarie implements of husbandry, as Ladders, Rayles, Hop-poles, Plow-stuffe, and handles for many tooles, besides firing.

The Alder
necessarie
for many
purposes.

Baylie. If it be so commodious, it is not onely not good to stocke them, but expedient to cherish them, and where none are, to plant.

Sur. There is great difference betweene *necessitie* and the *superabundance* of euery necessarie. For *want*, is a great commaunder, and enforceth oftentimes: and in many places they desire and search for that, which *will* in the time of plenty meerely neglecteth. And therefore where none of this kind of wood groweth, (the place destitute of other meanes, and fit for this kind of commoditie) *will* may be forced to giue place to *occasion*: as in other things.

Necessitie a
comma-
nder.

Baily. I haue heard, that this kind of wood is also good to make the foundations of buildings, in riuers, fennes, and standing waters, as also piles for many purposes in morish and wet grounds.

Sur. It is true: this kind of wood is of greater continuance in watry places, then any other timber: for it is obserued, that in these places it seldome or neuer rots.

Alder good
to make
piles.

Baily. It loued the water and moisture well in growing, and therefore it brooketh it the better, being laid in it. But I thinke the *Fyer* tree is much of the same nature: for I haue seene infinite many of them, taken out of the earth in a moorish ground in Shropshire, betwene the Lordships of Oswestrie, and Elsemore, which (as it is supposed) haue been in the moist earth euer since the flood, and being daily taken vp, the people make walking stauces and pikes of them
firme

Firre-tree
lien in the
ground
since the
flood,

firme and strong, and vse the chips insteade of candles in poore houses: so fat is the wood to this day, and the smel also strong and swete.

Sur. I know the place well, where I saw *pales* made of an Oke taken out of the same ground, of the same continuance, firme and strong, blacke as *Ibony*, and might haue fitly beene employed to better vses: and I take it, that most wood will last long vnder the earth, where it neuer taketh the open ayre. But the wood now most in vse for the purposes abouesaid, is *Alder* and *Elme*.

Baylie. May a man sow the seedes of the Alder?

Alder hath
no seede.

Sur. It beareth a kind of seede, yet some haue affirmed the contrarie. But the seedes will hardly grow by art, though by nature they may. The branches of the tree and the rootes, are aptest to grow, if they be set so, as the water and moisture may be about the plant: for it delighteth onely in the moistest grounds. Is not this next close the Lords, called *Broad-meddow*?

Baylie. It is so: I perceiue you haue a good memorie, being but once, and so long since, vpon the ground.

Meddowes.

Sur. It is most necessarie for a Surveyor to remember what he hath obserued, and to consider well the natures and qualities of al kinds of grounds, and to informe the Lord, of the meanes how to better his estate by lawfull meanes, especially in bettering his owne *demeisne* *se*. So shall he the lesse neede to surcharge his Tenats by vncharitable exactions. And forasmuch as of all other grounds, none are (of their owne nature) so profitable, and lesse chargeable, as meddow grounds, which are alwaies readie to benefite the owner, summer and winter, they especially are to be regarded.

Pratum quia
semper
paratum.

Baylie. That is true indeede, and peraduenture it takes the name of the readinesse: for we call it in Latine *Pratum*, as if it were *semper paratum*, either with the flaxe for hay, or with

with the pasture to feede: and this meddow wherein now we are, is the best meddow that I know: and I thinke, for sweetnesse and burthen, there is not a better in England.

Sur. You doe well to aduance the credite of the Lords land, and you speake, I thinke, as you conceiue, because you are not acquainted with the meddowes vpon *Douc-banke*, in *Tan Deane*, vpon *Seauerne side*, *Allermore*, the Lords meddow, in *Crediton*, and the meddowes about the *Welch-poole*, and especially a meddow not farre from *Salisbury*, neere a Bourne vnder the plaine, that beares grasse yearely aboue ten foote long, though many thinke it incredible, yet it is apparant, that the grasse is commonly sixteene foote long. It is made shorter before cattle can feede on it, and when the cattle haue fed, hogges are made fat with the remnant, namely, with the knots and sappe of the grasse.

Best Med-
dowes in
England

Baylie. This is the straungest thing that euer I heard of, but surely these meddowes are made so good by art, but naturally, I thinke, this may match the best of them.

Sur. Indeepe, meddowes very meane by nature, may be made excellent by charge: but they will decay, vnlesse they be alwaies relieued. But these that I speake of, require little or no helpe at the owners hand, onely the ayd of these riuers and fatt of the hils ouerflowing, doe feede them fat, giues great burden, and verie sweete.

Baylie. These yearely ouerflowings of fat waters after floods, no doubt, are very beneficial, as appeareth by the annale and pearely ouerflowing of the riuer *Nilus* in *Egypt*, which maketh the adiacent grounds so fat and fruitful, as they be famous through the world for their fertilitie, and was allotted to *Iosephs* brethren in *Egypt*.

Riuers ouer
flowing
good.
Nilus in *E-*
gypt, *Ios. 3.*
13.

Sur. You speake of a matter wonderfull in the conceites of some, that the riuer should so ouerflow in the summer, and yet it neuer raines in those parts at any time of the yeare.

Y

Baylie.

Baylie. So I haue heard indeede: and that the founts grow in the heate of the yeare about haruest, betwene July, and September, with the snow melting, that falls in the winter time, among the Mountaines.

The Lauent
and the
Leame.

Sur. We haue in England matter more strange, as the riuer neere Chichester in Suffex called the *Lauent*, which in the winter is drie, and in the driest Summer full to her bankes: So is the *Leame*: a riuer in Barkeshire, neere Leambourne.

Baylie. That is strange indeede: one studious in naturall Philosophy, could tell the cause of this.

Bournes.

Sur. I take it to be, because they are onely fed with springes, which runne onely when they are at the highest, namely, in the summer when the sunne is highest. And that also is the reason, why many *Bournes* breake out of the earth in sundry places, as we may reade it hath done sometimes neere *Mergate*, in Hartfordshire, corruptly called *Market*, and neere *Croyden* in Surrey, neere Angleton and Parcham in Suffex, and in many other places in this Realme: which breake forth suddenly out of the driest hils, in summer, and run for a time in such abundance, as it would driue many Mils. Not yearly, but in six, eight, or ten yeares.

Water smel-
ling like vio-
lets.

Leuis pu-
tredo.

Sense de-
ceined.

Baylie. Because you speake of Angleton, I can assure you there is a well, that sometimes yeldeth water, which when you wash your hands with, it smelleth like violets. Some would (no doubt) giue much for such excellent water.

Sur. Though the smell be sweete, I hold not the water so wholesome: for it is in it selfe, *leuis putredo*, a kind of putrification, which passing lightly by the sense of smelling, deceiueth the sense, which if it tooke a more serious Note of it, would find it a kind of stincke: as your purest muske & Ciuet, the more neerer the sense it commeth, & the more the sense chargeth it selfe with the whole sent, the

the more lothsome it will prooue. But these are things comming into our talke by the way: let vs returne to our matter of meddowes, the cause of whose goodnesse is the soyle, and ouerflowing, with the most muddy water.

Baylie. No doubt, it is an admirable helpe vnto them: nay, I by small experience that I haue found, can tell you a pretty Parador, how say you to this? Boggie and spungie ground, wherof we discoursed before, though in it owne nature it be too moist, yet, if it be ouerflowed with water often, it will settle and become firme: which howsoeuer in my poore vnderstanding, it would seeme opposite to reason, that water should helpe watery ground, yet experience findeth it so.

Boggie
grounds
helpt by ouer
flowing.

Sur. All ouerflowing waters doe bring a slimy and fat substance with them, and leaue it behind them: which together with the working of the water, through the spungie ground you speake of, worketh that effect in all grounds, where it comes.

Baylie. But waters cannot be brought into all kinds of boggy grounds, nor into all kinds of meddowes.

Sur. No, for there are two sorts of meddowes, low and moist, and vpland, and drie meddowes, of these kinds the low is commonly the best: because they are aptest to receiue these falling and swelling waters, which for the most part brings fatnesse with it: and besides it moisteneth the ground, and makes the grasse to grow cheerefull: yet howsoeuer fat and fruitfull they be, continuall mowing yearely without intermission, may weaken them and impair their goodnesse, and will require some helpe, vnlesse they be such meddowes as I recommended vnto you ere while, that are so fed with fat ouerflowing waters, as doe still maintaine them in strength.

Two sorts
of med-
dowes

Baylie. Then must the vpland meddow, by often and continuall sheering, needes decay.

Vpland -
Meddowes
haue but
the name.

Hard to dis-
tinguish
groundes.

SUR. The vpland meddowes haue but the name of meddowes: for indeede, they are but the best pasture grounds, laid for hay. And to distinguish betweene that kind of meddowe and pasture ground, or betweene pasture and arable, is frivolous: for that kind of meddowe is most properly pasture, and all pasture grounds may be tilled. For when we say arable, it is as much, as if wee said, it is subiect to the plough, or land which may be plowed: and why then may not a man say, that which is now pasture is arable? that is, convenient to be tilled. And on the contrarie, that which is now tilled, may be pasturable: namely, apt to graze, and to feede cattle.

Baylie. You proue, that it is superfluous in manner, to distinguish the qualities of grounds.

SUR. I confesse, a Surueyor may note the qualitie of euery kind, as he findeth it in the time of his perambulation and view. But peraduenture, the next yeere, he that comes to distinguish them, may enter them cleane contrarie to the former. And therefore it is not amisse, in all such entries, to adde the word (now:) as to say, now tilled, or now pasture, now vsed for meddow: vnlesse it be low meddow alwaies mowne. But he that shall enter a peece of vpland ground, though it be sometimes mown) vnder the name of meddow, erreth in his entrie. But for that, let all men follow their owne fancies. But because we speake of vpland meddowes, we will accept all mowable grounds in that sense. And of such I will first speake.

Meddow of
different
natures.

They are either of a clay soyle, and so naturally fat, or stiffe: or a sandy earth enriched and made fat by industrie: and both of these by mowing yearely without intermission, and supply of helpe, may be so impayred, as it will yeeld little benefite to the owner. The nature therefore

fore of euery ground must be considered: for the vpland & high ground, may be also watrie, and consequently cold and moist, which kind of grounds are generally clay: for a sandy and grauelly ground lying high, and depending, is seldome or neuer found moist by nature, but drie, and consequently hot. So that all vpland grounds are commonly either too cold and moist, or too hot and drie: either of which must haue his seuerall helpe. For as the constitution of a mans body, is found by the effectes of *fatnesse*, *leannesse*, *heat*, and *cold*: So doe the earths discover their natures by their fruit, which nature causeth them to bring forth in infinite kinds, The cold and watry grounds yeeld long, but soure and vnprofitable grasse, rushes, and rancke mosse: which kind of ground must bee cured, if neede require, with draines, but commonly these grounds are of clay: and clay will neuer giue way, or euacuation to the water, because the ground is hard and stiffe, contrarie to the open and spungie ground, which is thin and open. And therefore the hottest chalke or lime is best to kill the soure grasse, & vnprofitable mosse. So is cole-dust ashes, and fine drie sand: and chimney soote, if sufficient quantity could be gotten: and after these things thus laid, it is expedient to giue it a tith or two, and then to let it lie againe, if it be to be vsed for meddow or pasture. And for the other grounds which are hot and drie by nature, the contrarie is to be vsed, by vsing meanes to coole the heate, and to moisten the driness: and that is, by bestowing some fat and slimy *Marle* vpon them, which will much cherish and reuiue the parched grasse, and kill the hungrie mosse that groweth by the driness of the earth, as a *scurfe* or *tetter* on the body, by the heate that proceedeth of a salt humor. The natures

Clay ground

Helpes intended
sometimes
hinder.

Bringing of
street water
into grounds
profitable.

of these two kinds of grounds are also found out, whether they be cold and moist, or hot, and drie, by the quantitie, and qualitie of their fruites, as the seasons of the yeare be drie or moist: for that ground that groweth best in a moist yeare, is hot and drie. The clay ground in a moist yeare (if it be not too moist) may be also comforted, because in too drie a yeare, the clay becommeth so strongly bound, that the tender grasse can hardly make way through the obdurate earth: whereas moderate moisture mollifieth the same, cherisheth the roote, and giues way for the grasse: and if it haue too much moisture, it becommeth so slimy, and the rootes so drenched, as it turneth the grasse into a spirie kinde, and that but thort, and by the colde that commeth of the too much moisture, it increaseth rushes abundantly, and thicke mosse: So that it appereth, that the seasons of the yeare doe either helpe or hinder the increase of all kinds of grounds: which the art or industrie of man cannot preuent. For many times the helpes, that man vseth to assist and helpe nature, doe hinder it: as where compost & stable soyle is laid vpon a drie ground, reserued for grasse, if a drie yeare followe, the heate of the soile and the drinesse of the yeare, doe so impouerish the grasse, that it yeeldeth the owner lesse increase, then if he had bestowed no soile at all: yet men ought not to be remisse, in soyling their lands: for if it preuaile not in one yeare, they shall find it at another time very profitable: and for all seasons, I perswade men to make meanes, where it may be done, to induce out of streets, lands, wayes, and ditches, all the water, that by some extraordinarie raine passeth through them, into their grounds, by making some little dam, or barre to draw them into their

their grounds: for the matter which this water bringeth with it, is commonly so rich and fat, as it yeeldeth a maruailous refection to all the grounds, high or low, into which it may be brought: which kind of husbandrie is much vsed in Summerset, Deuon. and Cornwall, to their admirable aduantage, and in some other places heere, and there, but not so generally, as in prouidence men might, for a richer experiment is not neglected.

Baylie. This is a good course, no doubt, in places where it may be put in execution: but as you say, all men are not so prouident, and painefull, which indeede is a great fault, and wherein I my selfe I confesse, haue bene culpable: but I wil be more carefull as well in that, as in other things, whereof you haue put me in mind. And truely I thinke, there is much profite, wilfully lost in many places by negligence, want of skill, and sparing of some small charge. You haue hitherunto spoken onely of vpland meddow grounds: but you deuided meddowes into two sorts: what say you to the second, namely lowe meddowes: for I haue seene and obserued as great defects in them, by reason of their too often mowing without rest, as may require some consideration how to repaire them: for some of these grounds are as much annoyed by too much moisture, as the vpland with the want of it.

Sur. For the too much moisture, if it be but in the winter season, and continue but vntill the middle or end of Aprill, it doth not onely no harme, but good: for if you marke and obserue it well, you seldome or neuer see bogges, where the water ouerflowes, and stands in the winter time. But if it be more permanent, and of a longer stay, there must be meanes vsed for euacuation: for in many places you may perceiue certaine lowe places in meddow grounds: where if the water once take a standing, it will cause the ground to sinke more and more, and therefore that kind of water must be vented betimes:

for

How water
doth good
to med-
dowes.

Water how
it may be
hurtfull to
groundes.

for otherwise it killeth the grasse, and makes the place bare in a drie summer, when the water is gone, or else it will cause such a coldnesse to the earth, as it will bring forth more rushes then grasse. And therefore it must bee a principall care, to haue all riuers, Sewers, and water drains, wel cleansed and scoured, that vpon occasiō, when time requireth, when you will conuey the water from the Meddowes, it may haue a due current, and likewise vpon occasion to stoppe the riuers, to the end the water may overflow at times conuenient.

Mills of too
high a pitch
pen the
water.

Baylic. But estoples of water courses, doe in some places grow by such meanes, as one priuate man or two cannot by force or discretion make remedie. As when Sewers bee common, sometime betwene Lordship and Lordship, parish and parish, or betwene a multitude, among whome it is all waies seene, some will be peruerse, and wilfull: and hinder the best publique action that is, though the doing of it be neuer so profitable to themselves, and the omitting, hindrance. Besides this, you see vpon diuers streames Water-mills, which by reason of their high pitch, barre backe the water that should haue clere passe: so that sundry mens grounds are drowned, euen untill, and at the time of haying. And for the most part, these Mills do appertain to great persons, who rather then they will loose a penny of their profite, will hazard the losse of a pound to poore men. What remedie is there for any of these mischiefs?

Sur. For euery of them the law hath provided remedie. And the greatest hindrance is either neglect or feare of complaint: and vpon complaint in places, and to persons appointed to reforme neglect of iustice to bee executed, *Lectes or law-daies, generall Sessions, Commissioners of Sewers, and actions at the common law*, are provided to right these wrongs: therefore speake no more of this, as matter of impeachment of the grounds, which of themselves

selues, are naturally good or euill. But rather seeke the meanes to better and helpe the ground, which, as you obserueth such decay in his meddowe, let it lie some fewe yeares to pasture, and be eaten verie low, it will procure some heat againe. If not, take the fattest earth that may be gotten, and let it lie a yeare if you can, to dissolue, and when it is drie and will crumble small, mingle it with good and well fatted dung, and lay them a while in a heape, vntill they be sufficiently incorporated, which will be in one winter, then carrie it into your meddow about the beginning of March, or before, and then cast it abroad vpon the meddowes, not too thick, nor the clods too great, it will reuiue the weakened mould, and make the grasse spring againe very freshly.

How to amend weakened meddow.

Bailie. I thinke this bee good also for barren pasture.

Svr. It is very excellent for pasture, for hee that will bestow the cost, shall find his recompence in short time. It is worthy the obseruance, though the care, cost, and paine be great.

Baylie. I see in some meddowes gaully places, where little or no grasse at all groweth, by reason (as I take it,) of the too long standing of the water, for such places are commonly low where the water standeth, not hauing vent to passe away, & therefore meanes must be first made for the euacuation of the water: for the continuall standing of the water consumeth the grasse, and makes the place bare, and sinketh it.

Gaully places in meddowes.

Svr. In such a place therefore, sow in the spring time some hay seed, especially the seed of the clauer grasse, or the grasse hony-suckle, & other seeds that fall out of the finest and purest hay: and in the sowing of it, mingle with it some good earth. But sow not the hony-suckle grasse in too moist a ground, for it liketh it not, therefore you must drayne the place before you sow it.

Clauer-grasse.

Z

Baylie.

Bayly. Is it not good sometimes to till and sow the meadow grounds?

To till meadow grounds.

Sur. Yes, vpon good occasion, as you find by the slender croppe of hay it beareth in a seasonable summer, that the ground begins to faint, as it were vnder the burthen of continuall bearing, fallow it, and let it lie a whole summer, and in the fall of the lease plow it againe, and at the season sow it with pease or fetches, next with wheat, and lastly with fetches and hay dust, laying it as plaine and leuell as you can. Then feede it the next summer, and after that, hayn it and mowe it, and within a yeere or two, the grasse will be fat sweet and good.

Meadow ground burned.

Baylie. I haue sene meadowes, as well as other arable lands, namely, the crust of the earth cut in turffes and burned, and so sowne as aforesaid.

Sur. This kinde of husbandry is neither vsuall nor expedient in al places, especially in meadow grounds, vlesse the meadowes bee too much ouergrowne with mosse, through too much moysture and colde: yet indeede I haue seene it in some part of *Shropshire*. But I haue thought it rather done for the corne sake, then for reformation of the meadow.

Bayly. But I like not this husbandry in any sort, in good meadow grounds.

Sur. You need not feare it, for experience hath found, that it hurteth no kinde of ground. But I leaue euery man to his owne fancie.

Meadow most beneficiall.

Bayly. Surely, I thinke there needs no helpe to good meadowe grounds, for it requireth small trauell, and lesse charge and of all grounds (as was sayd in the beginning of our speech) it is most beneficiall.

Sur. Euery thing hath his time and course, a growing, a perfection, and decay. And the best ground may bee
ouer-

ouercharged, the plow, and the sithe will weaken, if there bee no helpe by Art, or Nature: for though nature wake and worke when we sleepe, and are idle, yet it often faileth, when wit and industrie must work and supply what Nature leaueth. And therefore he that hath best meadow grounds, if he be a good husband, will obserue how they stand in force, or weaknes, & accordingly indeuor to help the defects: he must neither sleepe for the too much heat in Summer, nor keepe house in Winter for too much cold: but both Winter and Summer giue such attendance and ayd vnto his land, as in discretion he shall find most behouuefull: for land is like the body: if it bee not fed with nutriture, and comforted and adorned with the most expedient commodities, it will pine away, and become forlorne, as the minde that hath no rest or recreation, waxeth lumpish and heauy. So that ground that wanteth due disposing and right manurance, waxeth out of kind: euen the best meadowes will become ragged, and full of vnprofitable weedes, if it bee not cut and eaten, some will become too moist, and so growe to bogges; some too dry, and so to a hungrie mosse. And therefore according to the naturall or vrged inclination, men are to endeauour to prepare preseruations, or reformations, namely, to keepe the good in good case, and to bring the euill to a better state. If it be too moist, you must seeke to drie it: if too drie, you must vse means to moysten it.

Land like
the bodie.

Bayly. What if there be such places in a meadow, as neither Art nor charge can conveniently make drie, or fit for grasse, as I know many, and (no doubt) so doe you, which will be vnprofitable, whatsoeuer course bee taken, vnlesse more charge bee layd vpon it, then it can requite?

Sur. In such places the best course is to plant wil-

To plant:
Willowes.

lowes red or white, namely, in euery voyd plot of lowe ground that is too moist, & of litle vse but to plant them, as also neere vnto, and in hedge-rows: for those kindes of willowes are very profitable and little hurtfull and delight most in watry places, where profitable & sweete grasse likes not: They growe speedily, and beare much, and serue for many vses in husbandrie.

Setting of
Willowes.

Baily. In this indeed I can approue your Iudgement by mine owne Art and experience: for about seuen or eight yerres since, I set a certaine number of these kindes of Willow poles, shaped and cut for the purpose, and in deede I cut them and set them in a drie time, for I can tell you, although they loue the water well in their growing, wet is an enemie vnto them being cut from the tree, & in the time of their replanting: some I set in the end of Ianuarie, some in the beginning of Februarie, when the extremitie of the colde is nere gone. I set some in a meadow by a riners side, some in a bottom, where the water falls most in the time of raine, and I set euery one of them fife foote asunder, and for thre yerres space I kept them pruned verie carefully: and at this present time they haue heads and branches of verie great burden, euery thre trees nere a load of wood. And I doe not thinke, but euerie fife or six yerres will afford as much and more: for as the bodie of the tree doth increase, the branches will augment in greatnesse: and this without losse of much ground, or hindrance to the grasse. Nay, I finde that vnder these trees, the grasse is most rank and fruitfull, not onely by reason of the dropping of the boughes, but by the fall of the leafe in Autumme, as also by the cattell sheltering and shadowing vnder them. And moreover, I haue planted an Ozier hope, (for so they call it in Essex, and in some places an Ozier bed) in a surrounded ground, fit before for no other vse, for the too much moisture and overflowing of it. And to tell you truly, I thinke, it yaldeth me now a greater benefit vnderly, acre for acre, then a yacre of best wheat: and that without any great trauell or charge, and the ordinarie increase seldome failing.

Ozier broo
keth no sha-
dow.

Once

Onely I finde, that this kind of tree broketh not the shadow of any other tree, but delighteth in the open ayre, and in the sunne beames: so imperiall or sullen is this little plant. And truly I conceiue, that men that haue such grounds, as besit this kind of commoditie, come short of good husbands, if they plant them not.

Sur. You say in this very truly: and it is a great shame for many capable wits, and able bodies, that they hauing liuings and leasure, employ neither of them to their vttermost profitable ends: for land is given to man, to the end he should till it, manure it, and dresse it: namely, hee should set, sow, and plant vpon it, and in due discretion to conuert euery place to his fittest fruite. For I am of opinion, that there is no kinde of soile, be it neuer so wilde, boggy, clay, or sandy, but will yeeld one kind of beneficiall fruit or other.

All grounds
good for
some vse.

Baylie. Nay, by your leaue, I thinke, the pibbles or beach stones vpon the sea coast, about Orford Nesse in Suff. the Camber in Suffex, and such like, are good for no vse, especially for any profitable fruit: for I thinke, there is no firme soyle with in a speares length of some part of the highest of them.

Peaze vpon the
beach grow
naturally.

Sur. You speak not now of soyle, you speak of stones, and yet haue I eaten of good and nourishing fruit growing euen there, as *pease*, pleasant, wholesome, and good, growing of their owne accord, neuer set or sowne: but they differ in the manner of branching onely, the blossomes differ not much, but the coddles hang in clusters, eight, tenne, or twelue in a bunch, and tast as other pease.

Baily. That is strange, that they should grow where no firme earth is nere, and without setting or sowing: mee thinks, if they be of any abundance, poore people might make vse of them, if they be wholesome and not forbidden.

Sur. So doe they in the times of dearth and carsitie.

Bayly. I haue sene vpon these grounds, store of Pewets,

olives

Olives,

Pewee and
Oliues, &c.

Oliues, and Cobbes breede, folioles of great request at most honorable tables.

Hoppes.

Carret
roots.

Many waste
grounds
might yeeld
profite.
Hempe.
Mustard-
seede.

Sur. So haue I, but to allure them, it is good to streaw rushes and grasse vpon the *beach*, whereon to lay their egges about March, vlesse there bee store of sea-weeds to serue for that purpose. But for your other sorts of grounds, as boggie, and hot, and sandy grounds, commonly barren, I see not how they may bee employed to any great profit. For the first, namely, your low and sponge grounds, trenched, is good for hoppes, as *Essex*, and *Surrey*, and other places doe find to their profit. The hot and sandy, (omitting graine) is good for *Carret roots*, a beneficial fruit, as at *Orford*, *Ipswich*, and many sea townes in *Suffolke*: as also Inland townes, *Berrie*, *Framingham*, and others in some measure, in the same shire, *Norwich*, and many places in *Norfolke*, *Colchester* in *Essex*, *Fulham*, and other places neere *London*. And it begins to increase in all places of this Realme, where discretion and industrie sway the mindes of the inhabitants: and I doe not a little maruell, that husbandmen and Farmers doe not imitate this, for their owne families at least, and to sell to their poore neighbours, as in some places they begin, to their great profit. I haue also obserued in many places, where I haue had occasion to trauell, that many crostes, tostes, pingles, pightels, and other small quillits of Land, about farme houses, and tenements, are suffered to lie altogether idle: some ouergrowne with nettles, mallowes, thistles, wilde tezels, and diuers other vnprofitable weedes, which are fat and fertile: where, if the Farmer would vse the meanes, would grow sundry commodities, as *hempe*, and *mustard seede*, both which are so strong enemies to all other superfluous, and vnprofitable weedes

weedes, as they will not suffer any of them to growe where they are sowne. The hempe is of great vse in a Farmers house, as is found in *Suffolke*, *Norfolke*, *Sussex*, *Dorset*, and in many places in *Somerset*, especially about *Burport*, and *Lime*, where the people doe finde by it great advantage, not onely for cordage for shipping, but also for linnen, and other necessaries about a house. So is also the *flaxe*, which is also sowne in many places, where good huswiues endeouour their wits, wils, and hands to that commodious and profitable course, and the *flaxe* will like well inough in a more light and gentle, and leaner soyle, then the hempe. And indeede there is not a place so rude, and vnlikely, but diligence and discretion may conuert it to some profitable end: and among many other commodities, I maruell, men are no more forward in planting of *Apple trees*, *Peare trees*, *Crab-stockes*, and such like in their hedges, betweene their fields, as well as in Orchards: a matter praise worthy, and profitable to the planter, and to the common wealth, very beneficiall.

Flax.

Apple trees.

Baily. Indeed, I haue thought vpon this kinde of husbandrie, but I haue bene preuented of mine owne desires by a preiudicate conceit, that these fruits would redound little to my benefit, for that I thinke they will be stolen, the hedges troden downe, and the trees broken for the fruits sake.

Sir. Negligence may easily find excuse: but this objection is fruitles: for I know in *Kent*, *Worcestershire*, *Shropshire*, *Glostershire*, *Somerset*, and *Denon*. and many parts in *Wales*, full of this commoditie, euen in their remote hedge-rows. And although some few be lost, sith the rest come so easily, so fully, and so freely, a good mind will not grudge at a way-faring passenger, taking for his refection,

Syder.
Perry.

refection, and to qualifie the heat of his trauell, an apple or a peare: for the remnant will content the well conditioned owner. For I haue knowne, that (all the stolen allowed) the fruit thus dispersedly planted, haue made in some little Farmes, or (as they call them in those parts) *Bargaines*, a tunne, two, three, foure, of *Syder*, and *Perry*, which kinde of drinke resembling white wine, hath without any further supply of ale, or beer, sufficed a good householder and his family, the whole yeere following, and sometimes hath made of the ouerplus twenty nobles, or ten pounds, more or lesse.

Baylie. This surely cannot be but confessed, to bee very beneficiall, both for the priuate and publique weale. And I my selfe haue noted, that Mid. in former times, hath had regard to this kind of commoditie: for many Apple trees, Pear trees, Seruice trees, and such like, haue bene planted in the fieldes and hedge rowes, especially in the North and East part of the shire, as also in the South part of Warfordshire, which are at this day very beneficiall to the inhabitants, both for their owne vse and reliefe, as also to vent diuers waies at London by the good huswife. But the trees are now for the most part very auncient, and I doe not see such a continuall inclination in the time present, to continue or increase this benefite for the vse of posteritie: neither did I neuer know much *Sider* and *Perry* made in these parts, neither doe I thinke they haue sufficient skill or meanes.

Kent.

Sur. I thinke indeed, little *Sider* is made there, some *Perrie* there is here and there: but more in the West countrey and in *Kent*, a place very fructiferous of that kind offruit.

Bayly. Yet is there not so much *Sider* made, for all the great abundance of fruit, as there might be, but in the *Isle*.

Sur. The reason is, because that neere *London*, and the *Thames*

Thames side, the fruit is vented in kind, not onely to the Fruterers in grosse, but by the country wiues, in the neerest part of *Kent, Middlesex, Essex, and Surrey*, who viter them in the markets, as they do al other vendible things else.

Bayly. But aboue all others, I thinke, the Kentishmen be most apt and industrious, in planting Orchards with Pippins and Cherries, especially nere the Thames, about Feuersham, and Sittingburne. And the order of their planting is such, as the forme delighteth the eye, the fruit the tasle, and the walks infinite recreate the body. Besides, the grasse and herbage, notwithstanding the trees, yeldeth as much benefit, in manner, as if there were no trees, planted at all, especially for hay.

SUR. It is true: and in mine opinion, many men hauing tenements, and time in them, make not halfe the the profite, which by due and discreet industrie they might.

Bayly. Truly I now so conceiue it: for you haue in many things, made mee see mine owne indiscretion and negligence: but in many of them feare hath more preuailed with me, then wilfull refusall. And so I thinke it doth in other men, who also with my selfe, are ignorant of many points of prouidence, and good husbandrie: because they are not generally trauellers to see other places, neither hath their breeding bene iudicious, but plaine according to a stubberd patterne of ancient ignorance, by which they only shape all their courses, as their Fathers did, neuer putting in practise any new deuise, by the rule of more reason. And therefore indæde, we that liue in this age of ignorance and idleness, may betake vs to a better course without any disparagement, if we conforme vs to new and probable precedents, as time and triall will yeld experience. But surely, I hold your opinion good for the planting of fruit trees, not onely in Orchards, but in the hedge rowes and fields: for I thinke, wee haue of no tree more necessarie vse.

Men vntaught know little.

Many follow old husbandry.

Oke, Ash,
and Elme.

Sur. It is true in respect of fruite. But in other respects, the *Oke*, *Elme*, and *Ash*, are more precious.

Baylie. These indeede are building trées. and of the three, the *Oke* is of most request, a timber most firme and most durable. I haue bene no great traoueller, and therefore I can speake little of the increase or decrease of them, other then in the places where I am most resident, and where my ordinarie affaires doe lie. And for those parts, I can say, that that they increase not, though they seeme not to be wanted: for you see this country inclinable to wood and timber much: yet within these twenty yeeres they haue bin diminished two parts of three: and if it goe on by like proportion, our children will surely want. How it is in other countreyes I knowe not.

Oke much
decayeth.
35. Hen. 8.

Sur. I haue seene many places of note for this kinde of commoditie, (for so it is, howsoeuer it hath been little preserued) and I finde, that it hath vniuersally receiued a mortall blow within the time of my memorie: notwithstanding there is a Statute for the preseruatiō and maintenance of the same, and the same continued to this day, but not with wished effect, as we haue thereof spoken before.

Baylie. I will tell you Sir, carelesse Gentlemen, that haue Mannors and Parkes well wooded, left them by their carefull auncessors, that would not strip a tree for gold, are of the mind (as it seemeth) that the shadowe of the high trées doe dazle their eyes, they cannot see to play the good husbands, nor looke about them to sell the land, till the trées be taken out of their sight.

Sur. Can you breake a iest so boldly vpon men of woorth?

Baylie. You see as well as I, some doe it in earnest: and I thinke indeede, it is partly your fault that are Surveyors: for when Gentlemen haue sunke themselves by roling in Vanities

Vanities boat, you blow them the bladders of lauishing helps, to make them swim againe awhile, counselling first to clære the land of the wood, (in the sale whereof is great abuse) persuading them, they shall sell the land little the cheaper. And indeede I hold it prouidence, where necessitie commands, to chuse of two, the lesser euill: namely, to sell part of a superfluous quantitie of wood, where the remanent will serue the partie in vse, rather then y^e land. But withal, it is the part of a good Surueyoz, to counsell frugality, and a sparing spending, according to the proportion of the meanes of him he trauels for. And if that great Empero^r Necessitie will needs haue haucke, sell the wood, or prize it so, as he that buyes the land haue not the wood for nought: as is often sene, when the wood and timber sometimes is worth the price of wood and land.

SUR. It seemes, when you come to bee a Surueyor, as you labour to be, you will be verie carefull in your counsell: but it may be, when you seeme to haue best skill, and earnest desire to draw the line straight for a man inclinable to his owne will, hee wil rather giue into the hands of some one that feeds his conceits with flatterie, and he shal mannage the building, when you haue laid the foundation. And what hee doth, bee it right or crooked, is leuell with the marke. And therefore leauing euery man to him he lies, I say onely this, that sith timber and timber trees, and wood by due obseruation, are found to decay so fast, mee thinks, in common discretion, it should behooue euery good husband (for all would be so accounted) both vpon his owne land, as also vpon such as hee holds of other mens, not onely to maintaine, and to the vttermost to preserue the timber trees, and saplins likely to become timber trees, Oke, Elme, and Ash: but voluntarily to plant young: and because there is not onely an vniuersall inclination to hurle downe, it were expedient

Gentlemen
sell their
woods too
fast.

A Surueyor
must coun-
sell frugali-
tie.

Affection.

Simple
men doe
manage
mens busi-
nes through
flatterie.

All men
ought to
preserue
timber.

that sith *will* will not, authoritie should constraîne some meane of restauration, namely, to enioyne men, as well Lords, as tenants, to plant for euery summe of acres a number of trees, or to sow or set a quantitie of ground with Acorns, Ashkeyes, Hawberries, Nuts, &c.

35. Hen. 8.
1. Eliz.

The Sta-
tute abu-
sed.

Baylie. I remember there is a Statute made, 35. Hen. the 8. and the 1. Elizab. for the preservation of timber trees, Oake, Ash, Elme, Aspe, and Beech: and that twelue fozers and standils should be left standing at euery fall, vpon an acre: but me thinks, this Statute is deluded, and the meaning abused: for I haue sene in many places at the fells, where indeede they leaue the number of standils and more; but in stead, they cut downe them that were preserved before, and at the next fall, them that were left to answer the Statute, and pong left againe in their steads: so that there can be no increase of timber trees, notwithstanding the words of the Statute, by this kind of reservation, vnesse such as were thus left, were continued to become timber trees indeed: And therefore it were not amisse, that some prouision were made, to maintaine the meaning of the Statute in more force: but I leaue that, to such as see more force then I see, and haue power to reforme it.

Sur. It is a thing indeed to be regarded, for the abuses of woods are infinite and intolerable.

Want of
wood and
Timber
feared.

Baylie. Surely it is, especially in places where little timber growes: for there is no Countrey, how barren of timber soeuer, but hath vse of timber: and therefore, if neither mens own wils, seeing the eminent want, nor force of iustice will moue and worke a reformation, we may say as the Proverbe is, Let them that liue longest, fetch their wood surest.

Sur. But some countreys are yet well stored, and for the abundance of timber and wood, were excepted in the Statute, as the welds of *Kent*, *Suffex*, and *Surrey*, which were all anciently comprehended vnder the name of

Holmes

Holmes dale. There are diuers places also in *Darbishire*, *Cheshire*, and *Shropshire*, well wooded. And yet hee that well obserues it, and hath knowne the Welds of *Sussex*, *Surrey*, and *Kent*, the grand nursery of those kind of trees, especially Oke, and Beech, shall find an alteration within lesse then thirty yeeres, as may well strike a feare, lest few yeeres more, as pestilent as the former, will leaue few good trees standing in those Welds. Such a heat issueth out of the many forges, and furnaces, for the making of yron, and out of the glasse kilnes, as hath deuoured many famous woods within the Welds: as about *Burningfold*, *Laxwood Greene*, the *Mens*, *Kirdford*, *Petworth Parks*, *Ebernowe Walsalls*, *Rusper*, *Balcombe*, *Dalington the Dyker*: and some forests, and other places infinite. *Tantum cui longinqua valet mutare vetustas.* The force of time, and mens inclination, make great changes in mightie things, but the croppes of this commodious fruite of the earth, which nature it selfe doth sowe, being thus reaped and cut downe by the sickle of time, hath been in some plentiful places, in regard of the superfluous abundance, rather held a hurtfull weede, then a profitable fruit, and therefore the wasting of it held prouidence, to the ende that corne, a more profitable increate, might be brought in, in steade of it, which hath made Inhabitants so fast to hasten the confusion of the one, to haue the other. But it is to bee feared, that posterities will finde want, where now they thinke is too much. *Virtutem incolorem odimus, sublatam sero sepe querimus inuidi.* Things that wee haue too common, are not regarded: but being deprived of them, they are oft times sought for in vaine.

Holmes dale.

Thirtie yeeres haue consumed much wood and timber. Glasse houses. Great Woods wasted.

Woods destroyed for corne sake.

Bailly. It is no maruell, if *Sussex* and other places you
A a 3 speaks

140. Iron-
works in
Suffex.

speake off, be depriued of this benefit: for I haue heard, there are, or lately were in Suffex, néere 140. hammers and furnaces for yron, and in it, and Surrey adioynning, 3, or 4. glasse houses: the hammers and furnaces spend, each of them in euerie 24. houres, 2. or 3. or foure loades of Charke coale, which in a yere amounteth to an infinite quantitie, as you can better account by your Arithmetique, than I.

Waiking of
woods in
Suffex,
good for
the comon
wealth.

Sur. That which you say, is true, but they worke not all, all the yere: for many of them lacke water in the Summer to blow their bellowes. And to say truth, the consuming of much of these in the Weld, is no such great preiudice to the weale publike, as is the ouerthrow of wood and timber, in places where there is no great quantity: for I haue obserued, that the cleansing of many of these welde grounds, hath redounded rather to the benefite, then to the hurt of the countrey: for where woods did growe in superfluous abundance, there was lacke of pasture for kine, and of arable land for corne, without the which, a Countrey, or countrey farme cannot stand, or be releued, but by neighbour helpes, as the *Downes* haue their wood from the Weld. Beside, people bred amongst woods, are naturally more stubburne, and vnciuil, then in the Champion Countreys.

Baylie. That, are mens manners commonly guided by the disposition and qualitie of the places where they are bred:

Mens man-
ners of
their place
of breed.

Sur. There is no necessitie in it, I take, but by obseruation been collected, That it hath *Mōtani sunt asperi atq; inculti: Molliores corpore atq; moribus pratenses: Campestris mansueti & Ciniles: Rudes & refractarij Siluicole: Paludicole inconstantes & hebeti ingenio: Littorales duri, horrendi, immanes, latrocinij dediti, omniumque denique pessimi. &c.* So that if this obseruation hold, men varie in wit, manners and

and disposition of body and minde, much after the nature of the place where they are brought vp. But let vs not thinke that followes alwaies, but that education and diuine grace doth shape new minds, manners and dispositions in men, as they are trayned vp in the knowledge and feare of God. But woods are commonly most desert, so are Sea coasts subiect to violent windes, and vapours, and therefore these about other places are most condemned, and the inhabitants the more need to seeke the meanes of reformation.

Diuine
grace
shapes new
minds.

Bayly. Truly, I thinke all the places you name, the Mountaines, Meadowes, Woods, Marshes, and the Sea-coast, bræde by nature all *rudes, refractarios & immanes*, without the grace of God-directing them. And therefore we will leaue to censure conditions of men, in one continent, and as it were, vnder one clymate by the places of their bræd. That in my conceit, were to giue sentence against Gods secret Counsell, and prouidence: As also to say, such a complexion were alwaies an argument of ill condition, and such of good, which neuer holdeth generally true. Let vs, I pray, returne to our former communication, for time passeth, and I know, you would not be letted long.

Complexi-
on neuer a
true argu-
ment
of good or
cuill men.

Sur. Then I say, where, in former times, a farme stood in those parts, wholly vpon these vnprofitable bushy and woodie grounds, hauing onely some small and ragged pastures for some kinde of cattell, now I see as I trauell, and where I haue had businesse, that these vnprofitable grounds are conuerted to beneficiall tillage: In so much as the people lacke not, but can to their great benefit, yeerely afford to others, both Butter, Cheese, and Corne, euen where was little or none at all: yet I hold a moderation necessary, least that the too much ouerthrowing of timber trees, and stocking vp of Woods bring such a scarfitie of that necessarie commodity, as men build not,
for.

The bene-
fit that
Sussex findeth by decay of Woods.

Fewell of
constraint.

Middlesex
stocking.

The vse of
firing ne-
cessarie.

A commo-
ditie pre-
sent should
not deprivue
future
times of a
better.

for lacke of timber, but vse *Peats, Turffe, Heath, Furrer, Broome*, and such like fuell for firing, where they may bee gotten, yea, and Neats dung, as in some places of *Wiltshire*, and elsewhere: which cannot but ensue, if there be neither preuention for the subuersion of the present, nor no prouision to plant or spare for the time to come: who seeth not that the generall extirpation, and stocking vp of coppise grounds in *Middlesex*, will not breede want to them that shall succede?

Bayly. But that may be the moze tolerated, because it bringeth a greater profite in tillage and pasture, the ground being godd, bringeth forth wheate and oates, and other commodious graine, in stead of stubs and shrubs.

Sur. Stubs and shrubs are also necessarie: but as wee desire food, so we must preserue the meanes to prepare it for food: for, as corne auaileth not without Mills to grind: so many other necessities without firing, are of little vse. If al were arable, which is the life of corne, then meadow and pasture, the life of cattell were dead: to couet one peculiar for all necessarie things is a true resemblance of *Mydas* wish. Therefore it is good to foresee, and to auoide a mischiefe to come, by desiring or vsing present commodities moderately and prouidently. For when there is a true concurrence betweene the vse, and preseruauation, and increase of necessarie commodities, without wilfull consuming, there seldome followeth too much want: but if, for the ouer-greedy vse of things present, there be no regard of future occasion, it cannot be, but if the *earth*, the mother of man and other creatures, could verbally complaine, shee might well say, *shee were euen robbed of her fruits by her owne children*: and namely when for one commodities sake, another is abandoned by some priuate

pruate men, more expedient for the publike weale.

Baylie. I think your meaning is, when farmes, or townships are by pruate men dispeopled, and the houses pulled downe, and the land conuerted to some more pruate vse: as onely to sheepe pastures, or grasing for cattell onely, you meane, Come, the more commodious, is abandoned for these lesse profitable.

Sur. Both these are necessarie in their places, no man can denie it. But when the Oxe and Sheepe shall feede where good houses stood, where honest men and good Subiects dwelled, where hospitalitie was kept, the poore releued, the King better serued, and the cōmon wealth more steeded: who will not say it is the bane of a common wealth, an apparent badge of *Atheisme*, and an argument of apish ambition, or wooluish emulation? but because there is a statute carefully prouiding reformation, I will be sparing to accuse, though a man might point at the places and persons: Is not this next, *Ferne hill*, a close of the Lords demesnes?

Depopulation dangerous.

Bayly. You remember well, it is so.

Sur. If my memorie faile not, there is a deepe bottome in this field, and a little rill of water rising out of the hill, runnes thorowe it.

Bayly. If you looke but ouer this hill, you shall see it.

Sur. I see it, and I maruell that there hath beene no respect had of this place: for it is a desert bottome, full of bushes and shrubs, yeelding now little or no benefit.

Bayly. What can you aduise to be done with it, to make it more profitable?

Sur. I could wish some cost to be bestowed heere, in making a *fish pond*, nay it would make at the least, two or three, one belowe the other.

Fish ponds,

B b

Bayly.

Bayly. Alas, that were to little purpose, as I take it, considering the charge of making the ponds, the clearing of the water course, the cleansing of the bodies, the making of the dammes & heads of the ponds will bee more chargeable, then the fish will be profitable.

Fish ponds
many in
Sussex, and
Surry.

Sur. As you conceiue it, for where reason or experience teach not, there the will followes to be vntoward in all actions: and seldom men practise doubtfull things, howsoeuer probable, for experience sake. But in this there is no doubt at all, the benefite is certaine by approoued experience, & it paieth the charge to the founder in short time, and afterward the benefit comes without much labour or cost. He that hath trauelled, and is acquainted with *Sussex*, and *Surry*, and hath obserued this commoditie, may find that Gentlemen, and others able in those parts, will not suffer such a conuenient place, as this for the purpose, to lie vnprepared for this vse: and the sweetnesse of the gaine they yearly make of it, hath bred such an increale of ponds for fish, as I thinke, these two shires haue more of them, then any twentie other shires in England.

Bay. That were very much, but I take it, the making of the is very chargeable, for the cleansing & digging, the ridding of the stuff, & making the head, I think wil consume a greater charge then many yeeres wil pay, or redem again, as I said before.

Sur. That which commonly commeth out of these kind of places, is good soyle for other lands, and will of it selfe quite the cost of cleansing and carrying. As for the head wherein the greatest charge consisteth, may bee done, for a marke or a pound a pole at the most, but where there is good salt earth, as is here, I think lesse will do it. This pond may be 20. pole at the head, few so much: and after 2. or 3. yeeres being well stored, it will yeeld requitall,

quitall, not onely for domesticall vse, but to bee vented verie beneficially: for the Fish-Mongers of London doe vse to buy the fish by the score or hundred, of a competent scantling, when the ponds in the countrey be fewed, and bring them to London: in caske 20, 30, 40, 50 miles, and vent them by retaile: and if the ponds bee so remote from the maine Mart London, as the fish cannot bee conueniently transferred, other confining Cities, townes, and inhabitants, besides the owners priuate families will find good vse of them: and many times also, these kinds of ponds may haue sufficient fall of water for corne Mills, fulling, or wake Mills, syth Mills, and Mills of other kinds, as the countrey where such conuenient places a e, may require: and it is found, by such as duly obserue the courses of Countreys, & inclinations of men, that want of prouidence and feare of charge, withholdeth mens minds from many benefits, priuate and publique, and that many times, where they are voluntarily mooued to consume far more in matter of mere vanity, and things which right reason holdeth very friuolous.

Fish-mongers buy pondfish far off.

Ponds necessarie for Mills.

Baily. Truly I haue obserued this that you say, to be true in many, especially in such, as ambition moueth without necessity to build more faire and stately piles, then their estate or abilities will well beare, and couet nothing more, then to raise their fame by their follie, not respecting commodities, so much as pleasures, as if the name of a faire house, were made meate, drinke and credite vnto them: where if they were forced by necessity to raise an habitacl, it might be so marshalled in discretion, that it should not exceed y qualitie of the person, neither stand without such supply of all conuenient apperances, as might both argue the party prouident, & adde means vnto all necessities for a like families reliefe.

Ambitious building ridiculous.

A house with necessities commendable.

SWR Men will haue their humors: but he is wise, that can learne by others harmes to auoid, & by others good example to follow the like.

Bayly. Sir, you see this pece of ground, it hath not the name for nought, it is called Fernie close, and as you see, it is full, and so ouergrowne with these brakes, that all the art we can deuise, and labour we can vse, cannot rid them.

Horace.
Ferne.

Sur. *Neglectis vrenda filix innascitur agris*, saith *Horace*. But in many places they serue to good vse: and therefore, where they grow, it must be considered, whether it be better, to destroy them, or to foster them, for they seldom or neuer grow in a fat soile, nor cold, but in a sandie and hot ground: And as *Theophrastus* saith in his eight booke, it commeth not vp in manured places, but withereth away.

Theophrastus lib 8.

Bayly. How? meaneth hee by manured places plowed groundes?

Manuring
what is
meant by it

Sur. Plowed grounds, may bee sayd to be manured, but it is not so meant by *Theophrastus*: for hee meaneth grounds well soyled, with good fat marle and dung: for plowing without this kinde of manurance, wil hardly kill it: for the ground being naturally barren, it will not quite cost to plow it, till they growe no more. And if there bee no other soile to manure it, take the brakes themselves, to kill the brakes.

Bayly. I thinke, that were the way to raise more: for it is like the adding more felwell to put out the fire.

Ferne destroyed by
ferne.

Sur. But you see, that though the oyle feed the Lamp, oyle will extinguish it.

Bayly. What is, if you drowne the match with oyle.

Sur. So if you cut the brakes often, while they are young, and a little before Midsommer when they are growne, and cast them vpon the same land, and set the folde vpon it, and vse it thus, 2. or three yeeres, feeding it often with cattell or sheepe, you shall finde a great decay of them. In the Welds of *Sussex*, and *Surry*, places inclinable

inclinable to brakes, you may learne, how the inhabitants by their indeuours, doe make good vse of this kind of husbandrie, both for corne, and to increase their pasture, by cutting them in August, and after when they are withered, laying them vpon their grounds, with the fold, as I told you, which causeth the grasse to spring verie fast, and freshly: and they are so farre from coueting to kill them, that they fetch the for this vse far off: but the continuance of this course will impaire them much. Moreouer, they bring the brakes into their yards, where their cattell lodge in the winter, and there they rot, and when they be well dissolued among their other soile, they carry it about September, and October, into their arable fields, to their good aduantage. And in some places they lay it in the common high waies (as in *Hartfordshire* and other places) and about March carie it, into their groundes. It is of so liuely, slimy and vegetable a nature, as it seldome becomes vtterly consumed, but by fat marle, and soile, and continuall plowing, as I told you before. But I see, heere is a ground next vnto this, of another nature, full of bushes and briers, hce is no good husband that oweth it.

The vse of
ferne, in di-
uers places.

Bayly. Neither hee that owes it, nor a better husband can preuent this inconuenience: for besides the bushes, the mosse is so full and ranke, as the ground is good for nothing, but for that small pasture, that is in it here and there.

Bushy
ground.

Suy. The ground of it selfe, I see is good inough, and not so proane to mosse as you take it, but the cause of the mosse is the bushes: for after euery showre of raine, the bushes hang full of droppe, which often falling on the ground, makes the vpper part of the earth so colde, that it increaseth this kinde of mosse: but without the aid and industrie of a skilfull husband, fairest grounds

The cause
of mosse.

will become vgly, and best land euill, and will bring
foorth vnprofitable weeds, bushes, brakes, briers, thorns,
and all kind of hurtfull things, according to the curse in-
flicted vpon it for mans fault, at the beginning.

The earth
not ma-
nure what
it becomes.

Baily. Admit, no man did manure the earth, yet surely
there be many grounds, in my conceit, would neuer become
woyse then they be.

Sur. You are in a great error : for the freest grounds
that you see, the fairest pastures, and greenest meddows,
would become in short time, ouergrown with bushes,
woods, weeds, and things vnprofitable, as they were be-
fore they were rid, and clenfed of the same by the indu-
stry of man, who was inioyned that care and trauaile to
manure the earth, which for his disobedience should
bring foorth these things.

Bayly. How then was the state of this Island of great
Britaine, at the beginning, when it was first peopled :

Great Bri-
taine some-
times a de-
sert.

Sur. A very Desert and wildernesse, full of woods, fels,
moores, bogs, heathes, and all kind of forlorne places:
and howsoeuer wee find the state of this Island now,
records doe witnes vnto vs, that it was for the most part
an vniuerfall wildernesse, vntill people finding it a place
desolate, and forlorne, began to set footing here, and by
degrees grew into multitudes; though for the time, bruti-
sh and rude. Time taught them, and Nature drew them
to find the meanes how to stock vp trees, bushes, briers,
and thorns, and in stead therof, to plow the land, to sow,
set, & plant, to build Cities for defence, as well against the
force of Wild beasts, then plentiful in these grounds
which now we manure, as against enemies, as the ruines
of *Cilcheſter* in *Hampshire*, among the woods, and of *Verolamium* in *Hertsfordshire*, and other Romane Monuments
of

Cilcheſter,
Verolamium

of antiquitie, doe lay before our eyes at this day. After Cities, (as the land became more and more peopled) they built lesser Townes, Villages, and Dorpes, and after more securitie, Country Farmes, and Graunges: and as these increased, wild beasts, as Beares, Bores, Woolues, and such like decreased: for when their shelters, great woods, were cut downe, and the Countrey made more and more champion, then the people more and more increased, and more and more decreasing the inconueniencies that offended them.

Wild beasts
in Britaine.

Bayly. I obserue in this your discourse some doubts, as whether all this Island, now great Britaine, were a Wilderness, and Desert, & whether there were euer such wild beasts in it, as you speake off.

Sur. If you will be satisfied by records, you may find, that most of the Shires in *England* were *Foresta*: and as for the wild beasts, Authors very autentique, report of the *Calidonian* beare, Bore, Bull, and Kine, which were in this Island, with infinite many Woolues: as by reason of the great woods and fastnesse, there are yet in *Ireland*.

Calidonian
beare and
bore.

Bai. This our discourse is somewhat from our matter, yet not altogether impertinent: for if this lie hidden, and men be ignorant of the state of former times, our present swelling & ambitious conceits may seeme to assume more commendation, for present Art & industry, in reforming the earth, then Ages of old: wherin I perceiue, & by your discourse collect, that our fathers did more in ten yeares, then we in fortye.

Former a-
ges had
more art &
industry
then ours.

Sur. It is true, because we saw not the earths former deformities, we dreame it was then, as now it is, from the beginning, whereas indeede our forefathers, by their diligence and trauaile, left vnto our forefathers, and they by increasing experience, and endeuour, left vnto vs that faire and fruitfull, free from bryers, bushes, and thornes, whereof

The earth
not in the
beginning
as now it is.

Lands formerly arable, now wood.

whereof they found it full. And this field wherein now we are, may be an instance: for you see by the ancient ridges or lands, though now ouergrowne with bushes, it hath beene arable land, and now become fit for no vse, vnlesse it be reformed. And the bushes that are in this field, you see, are such shrubs and dwarffie bushes, and fruitelesse briars, as are neuer like to prooue good vnderwood, nor good haying or hedging stuffe. If it were fit for either, and the Countrey scant of such prouision, it might be preferued. But sith they haue been so cropped and brused with cattell, and sith this countrey is full and most inclinable by nature to this kind of stuffe, more then sufficient for fencing and fewell, and corne ground and good pasture nothing plentifull, if the tenant were a good husband, he would stocke it vp and plow it.

Bayly. I thinke it is so full of Mosse, it will beare little corne.

Mosse.

Sur. The Mosse being turned in by the plowe, will rot, and these hillokes, mole-hilles, and ant-hilles will enrich the ground, and cherish the seed sowne.

Bayly. What graine is best to bee sowne first after the stocking?

Oates in clay.

Sur. It seemeth to bee a good stiffe clay ground, and therefore Otes are best to prepare the earth, to make it fit for wheat the next season: and after it, as the ground may bee by the skilfull husbandman thought fit for wheat againe or pease. But if the soile were leane and light, barley would agree better in it, and a light red rush wheat, where, in the more stronger ground, the white Wheat, and gray Ball, (as they call it in the West parts) is best. And in some more hot and sandie grounds, Rie, as men shal by experience find the land to like the grain, and

Barley in sand.
A mutuall agreement betweene graines and grounds.

and the graine. For there is a naturall affinitie or enmitie betweene graines and grounds, as between stomacks and meats. And therefore the husbandmans experience will best guide him. But I doe not a little wonder at men in this age, whom, whether I may rather accuse of idlenesse, or ignorance, I cannot tell : for where I haue trauelled in sundry parts of *England*, I haue in many of them found many olde drie pits, aunciently digged in fields, Commons, Moores, and other grounds, many of them bearing still the names of *Marle pits*, and by search haue bin found to yeeld very excellent Marle, first found and digged by the prouidence and industrie of our forefathers, and left and lost by the negligence of latter times.

Baylie. But by your fauour, say *Marle*, me thinks, is not good for this kind of ground, because it is a strong clay, it is better, I take it, for a hot and sandie soyle, and a hot chalker better for this.

Sur. It is very true, that obseruation should not haue beene forgotten : but is well remembered of you.

Bayly. We haue, indeed, a kind of plodding and common course of husbandry hereabouts, and a kind of peeuish imitation of the most, who (as wisemen note) are the worst husbands, who onely trie what the earth will doe of it selfe, and seeke not to helpe it with such meanes, as nature hath prouided; whereas if men were carefull and industrious, they should find, that the earth would yeeld in recompence for a good husbands trauell and charge, Centuplum without corrupt vsurie.

Sur. I am glad you can now approue it so in reason: for I thinke, experience doth not yet so fully teach you. I haue knowen where land hath bene very base and barren, and so continued many generations, as ground in manner forsaken and forlorne, abandoned of the plow,

Cc

which

Marle pits.

Grounds well manured, greatest interest.

Ill ground
made good.

which after hath come into the hands of a discreet and industrious husband, that knew how, and would take the paines, and bestow the cost to manure it in kinde, hath much enriched himselfe by it, and where before it would not beare a crop of requitefull increase, by marling and good vsage, hath borne croppe after croppe, 12, 16, or 20 yeares without intermission. The benefite of marling, *Lancashire, Cheshire, Shropshire, Somersset, Middlesex, Suffex, Surrey*, among many other places, yea, all the shires of England can witnesse, though not all by one kind of soyling and marling. For neither is all kinde of Marle in one place, neither any one kinde in all places. But few places are so defectiue, but it yeeldeth of it selfe, or is nere vnto some place of help. And men that will haue profit, must vse the means, they must not sit and giue ayme, and with & repine at others increase. There must be obseruation, to marke how others thriue, inclination and imitation to doe the like, endeouour and charge. And if one experiment faile, trie a second, a third, and many: looke into places and persons, note the qualities of the land of other men, and conferre it with thine owne: and where there is a resemblance, mark what the best husband doth vpon his land like vnto thine: if it prosper, practise it, and follow the example of him, that is commonly reported a thriftie husband. And by this means, will experience grow, and of one principle of reason, many conclusions will proceede. If a man looke into *Cornwall*, there shall he find, that in diuers places, especially vpon the North coast, about *Padstow*, that the inhabitant Farmers doe soyle their Lands with sea sand: which because the Countrey affordeth not in all places passe for cart-carriage, men fetch this kind of sand 3, 4, 6 miles in sakes on horsebacke.

Sea sand, a
good soyle
in Corn-
wall.

horsebacke. And poore men liue by fetching and selling it to the more wealthy. In *Deuon* and *Somerset*, and in some places of *Cornwall*, *Sussex*, and in the South part of *Surry*, besides their other cōmendable courses of husbandry, they burne their land, and call it in the West parts, Burning of beat, and in the South East parts, *Deuonshiring*, and by that means in barren earth haue excellent Rie, and in abundance. In *Shropshire*, *Denbighshire*, *Flinshire*, and now lately in some part of *Sussex*, the industrious people are at a more extraordinarie charge and toyle. For the poore husbandmen and Farmers doe buy, digge, and fetch limestones, 2, 3, 4 miles off, and in their fields build lime-kils, burn it, & cast it on their fields, to their great aduantage: which kinde of lime is of the nature of hot chalke, great helpes to cold and moist grounds.

Deuonshiring.

Limestones.

Bay. But this kind of stone is not to be had in all places.

Sur. That kind or some other, is to bee found in, or neere most places, and there is no kind of stone, but being burned, will worke the like effect. So will also and especially the beach or pibble stones burned, that frequent the sea shore in many places, as vpon the *Camber* shore neere *Rie*, and at *East-bourne* in *Sussex*, neere *Pemsey* about *Fo'kestone*, and vpon the coast of *Kent*, vpon *Orfordness*, and about *Alborow*, *Hoseley*, and that coast in *Sussex*, and sundrie other places vpon the Sea-shore: In some places in so great abundance, as if there were wood in competent measure, would make good and great store of lime for building.

Pibble and beach, good to make lime.

Bayly. It is farre to fetch it: for I doe not thinke, but e- uery load fetched 5 miles, is worth 5 shillings the cariage, this is verie chargeable.

Sur. Yet it quiteth the cost well inough, hee that is able,

Difficulties
pretended,
where is no
will.

Moore
earth or
Murgion .

Naw.nc.

able, doth find it profitable. But you are in the mind of some that I haue heard, when they haue bin moued to entertain a help for their lād, either it is too deare, or too far to fetch, or too deep in the earth, or some difficultie they pretēd in it, that few vndertak the right way to good husbandrie, like vnto them that *Salomon* speaketh of, that in winter will hold his lazie hands in his lowzie ambrie, and for slouth will not looke about his land in the cold, and sleepe out the time in Summer. Many difficulties & impediments preuent them that wil neuer be good husbands nor thrifty. But such as meane to liue like men, wil shake off the cold with trauell, and put by sleepe by their labor, and thinke no cost too great, no labour too painfull, no way too farre to preferue or better their estates. Such they bee that search the earth for her fatnesse, and fetch it for fruits sake. Many fetch Moore-earth or Murgion from the riuier betweene *Colebrooke*, and *Vxbridge*, and carry it to their barren grounds in *Buckinghamshire*, *Harfordshire*, and *Middlesex*, eight or ten miles off. And the grounds wherupon this kind of soile is employed, wil indure tilth aboue a dozen yeeres after, without further supply, if it be thorowly bestowed. In part of *Hantsire* they haue another kind of earth, for their dry and sandy grounds, especially betweene *Fordingbridge* and *Ringwood*, and that is, the stub of the Riuier of *Auon*, which they call *Mawme*, which they digge in the shallow parts of the riuier: and the pits where they digge it, will in few yeares fill againe: and this *Mawme* is very beneficiall for their hotte and Sandy grounds, arable and pasture. And about *Christchurch twinaam*, and vp the riuier of *Stowre*, they cut and dig their low and best meadowes,

dowes, to helpe their vpland hot and heathie grounds. And now of late the Farmers neere *London*, haue found a benefit, by bringing the Scauengers Street-soile, which being mixed as it is with the stone cole dust, is verie helpfull to their clay ground: for the cole-dust being hot and drie by nature, qualifieth the stiffenesse and cold of the soyle thereabouts. The soyle of the stables of *London*, especially neere the *Thames* side, is carried Westward by water, to *Chelsey*, *Fulham*, *Battersey*, *Putney*, and those parts for their sandie grounds.

Meadowes
cut and car-
ryed into
d y grounds
Scauengers.

London
soile.

Bayly. Whether doe you account the better, the stall or stable dung?

Sur. The stable dung is best for cold ground, and the stall dung for hot grounds, if they be both rightly applied. And of all other things, the Ashes that proceed of the great rootes of stocked ground, is fittest and most helpefull to a cold clay. So is the cinders that come from the Iron, where hammers or forges are, being made smal and laid thin vpon the cold moist land.

Difference
of stable
and stall
dung.

Baylie. I was once in *Somerfet-shire*, about a place neere *Tanton*, called *Tai deane*, I did like their land and their husbandry well.

Sur. You speake of the *Paradise of England*: and indeed the husbandrie is good, if it be not decayed, since my being in those parts: as indeed (to be lamented) men in all places giue themselves to too much ease and pleasure, to vaine expence, and idle exercises, and leaue the true delight, which indeed should be in the true and due prosecution of their callings: as the artificer to his trade, the husbandman to the plowe, the Gentleman, not to what he list, but to what befits a Gentleman, that is if he be called to place in the common weale, to respect the execution of iustice: if he be an inferiour, he may be his

Tandean,
the Para-
dise of Eng-
land.

A prouident Master.

Good husbandry in the West.

The manner of husbandry in the West.

own Bailly, & see the managing & manuring of his owne reuenues, & not to leaue it to the discretion & diligence of lither swaines, that couet only to get and eat. The eye of the prouident Master may be worth two working seruants. But where the Master standeth vpon terms of his qualitie and condition, and will refuse to put (though not his hand) his eye towards the plow, he may (if it be not the greater: for I speake of the meaner) gentlelize it a while: but he shall find it farre better, and more sweet in the end, to giue his fellow worke-men a congie early in the morning, and affably to call them, and kindly to incite them to their businesse, though hee soyle not his fingers in the labour. Thus haue I seene men of good qualitie behaue them towards their people, and in surveying of their hirelings. But indeed it is become now contemptible and reproachfull, for a meane Master to looke to his labourers, and that is the reason, that many well left, leaue it againe before the time, through prodigalitie and improvidence, and meane men industrious steppe in: and where the former disdained to looke to his charge, this doth both looke and labour, and he it is that becomes able to buy that, which the idle and wanton are forced to sell. Now I say, if this sweet countrey of *Tandeane*, and the Western part of *Somerset-shire* be not degenerated, surely, as their land is fruitfull by nature, so doe they their best by art and industrie. And that makes poore men to liue as well by a matter of 20. pounds *per annum*, as he that hath an hundred pounds.

Bayly. I pray you Sir, what doe they more, then other men, vpon their grounds?

Sur. They take extraordinarie paines, in soyling, plowing, and dressing their lands. After the plowe, there

there goeth some three or foure with mattocks to break the clods, and to draw vp the earth out of the furrowes, that the lands may lie round, that the water annoy not the feede: and to that ende they most carefully cut out gutters and trenches in al places, where the water is likelyest to annoy. And for the better enriching of their plowing grounds, they cut vp, cast, and carry in, the vnpowred headlands, and places of no vse. Their hearts, hands, eyes, and all their powers concur in one, to force the earth to yeeld her vtmost fruit, and the earth againe in recompence of their loue to her, vouchsafeth them an incredible increase.

Bayly. What I pray you in quantitie vpon an acre, more then the ordinarie rate of wheat, which is the principall graine in other Countreys?

Sur. They haue sometimes, and in some places foure, five, sixe, eight, yea tenne quarters in an ordinarie acre.

Great yeelding of wheate.

Bayly. I would thinke it impossible.

Sur. The earth, I say, is good vnto them, and their cost and paine great to it, and there followeth a blessing, though these great proportions alwayes hold not. The land about *Ilchester*, *Long Sutton*, *Somerton*, *Andrey*, *Middlesey*, *Wesson*, and many other parts, are also rich, and there are many good husbands.

Bayly. Doe they not helpe their Land much by the fold?

Sur. Not much in those parts: but in *Dorset*, *Wiltshire*, *Hamshire*, *Barke-shire*, and other places champion, the Farmers doe much enrich their Land indeede with the sheep-fold. A most easie, and a most profitable course: and who so neglecteth it, hauing means, may be condemned for an ill husband: nay, I knowe it is good husbandry, to driue a flock of sheep ouer a field of wheat rye, or barley, newly 'owen, especially if the ground be

The sheep-fold.

be.

Sheeps tread-
ing
good for
corne.

delight and drie: for the trampling of the sheepe, and their treading, doth settle the earth about the corne, keeping it the more moist and warme, and causeth it to stand the faster, that the winde shake it not so easily, as it will doe when the roote lyeth too hollow vnder the earth.

Grounds
long in
grazing.

Bayly. I cannot reprove you. But I knowe grounds of a strange nature in mine opinion: for if they be once plowed, they will hardly graze againe in 6. or 7. yerres: yet haue I seen as rich wheat and barley on it, as may well approve the ground to be very fruitfull. And if a stranger that knoweth not the ground, looke vpon it after a crop, hee will say it is very barren.

The cause
why grounds
will not
graze in
long time.

SUR. Such ground I know in many places, as in the Northwest part of *Essex*, in some places in *Cambridgeshire*, *Harfordshire*, *Buckinghamshire*, *Wiltshire*. But commonly, where you find this kind of earth, it is a redde or browne soyle, mixed with a kinde of white, and is a mould betweene hot and colde, so brittle in the vpper part, and so fickle, as it hath no firm feeling for the grasse to take rooting so soone, and in such sort as in other firmer grounds: and for this kinde of ground, good and well rotted stable dung is fittest. Let vs, I pray thee, walke into the next field, the Lords demesnes, called as I take it, *Highfield*.

Bayly. It is indeede: a large ground you see it is, and good pasture, but so ouergone with Thistles, as wee can by no meanes destroy them.

SUR. This kind of Thistle approoueth the goodnesse of the ground, they seldome or neuer grow in a barren soile.

Bayly. Yes, I haue sene thistles in meane ground.

SUR. It may bee so, a kinde of small hungry dwarfie thistle,

thistle, but this kind which you see large, high and fatter, you shall neuer see in abundance, in a weake soile.

Bayly. But I wish they were fewer in number : though they may be a note of good ground, I find them nothing profitable, vnlesse it be to throwd the vnder grasse in the parching Summer, from the heat of the scorching Sunne, for they are good for no other vse that I can find.

Sur. That is some benefite : but the best way to kill them, is to take them vp often by the rootes, euer as they begin to spring, and either presently to rake them vp, and carry them out of the fields, or else to beat them in small peeces : for their nature is to reuiue againe like an Adder, that is not thorowly battered in the head, and cut in peeces. Such is the nature of this kind of Thistle, that though it be plucked vp by the root, if it lie still vpon the ground, as soone as it receiueth the euaporation of the earth, his slimie-nature gathers a kind of new life, and beginnes to fasten and cleaue it selfe to the earth againe, and to shoot forth small strings, which entring into the earth againe, will bring forth many for one.

Thistles
how to kill
them.

Thistle, the
nature.

Bayly. That is, if they be cut when they are seeded, the seeds fall and increase.

Sur. Nay, if you cut them in there infancie : for if they bee not cut often, and that, as soone as they shewe themselves a foote high or lesse, the roote will recover, and budde againe : the roote is as the liuer in the body, from whence proceedeth all the blood that feedeth the veines, that quickneth the body, which by obstruction and stopping of the passages, putrifieth. So the roots of these vegitables, when the branches are againe and againe cut off as they spring, the root is left so ouercharged

The roots
of vegitable
things, like
the liuer in
the body.

D

with

Rushes.
Flagges.
Heath.

with moisture, that it will in the end yeeld, and giue ouer bearing, and die: as will also Rushes, Flagges, and such like, which though they be strong by nature, yet by this meanes they will be destroyed soonest.

Baily. But what say you to this heathy ground: I thinke of all other grounds, that is the most unprofitable.

Sur. Indeece, naturally all heathy grounds are barrenne, and that comes by the saltnesse of the soile.

Bayly. Doth all barrennesse procede of saltnesse?

Saltnes, hot
and drie.

Sur. As leannesse in a mans body, is principally procured by saltnesse of the humour: So is barrennesse in grounds; for salt is hot, and heat drieth, and too much drowth breedes barrennesse and leannesse. And according to the measure and proportion of the degree of hot and cold, moisture and drinessse, are all grounds fruitfull and barrenne, as the body by these causes is fat or leane, hot or cold. Therefore, though heathy grounds be commonly in the highest degree of barrennesse, yet are some more in the meane then some. Some are more tractable & more easily reduced to some vse then others, and therefore hath sundry names. Heath is the generall common name, whereof there is one kind, called or Hather, the other Ling. And of the particulars, there are also sundry kinds distinguished by their seuerall growth, leanes, stalkes, and flowers: as not farre from *Graues end*, there is a kind of Hather that beareth a white flowre, and is not so common as the rest, and the ground is not so exceeding barrenne as some other, but by manurance would be brought to profitable tillage. Some, and the most, doth beare a purple or reddish flowre, as in the *Forest of Windsor*, and in *Suffolke*, and sundry other places; and this kind is most common, and groweth commonly in

Hather.
Ling.

Heath di-
uers kinds.

in the worst ground. In the North parts, vpon the Mountaines and Fells, there is a kind of Ling, that beares a berry: euery of these hath his peculiar earth wherein it delighteth. Some in sandy, and hot grounds, as betweene *Wilford Bridge*, and *Snape Bridge* in *Suffolke*. And that is betterred especially, and the Heath killed best and soonest, by good fat marle. Some in grauelly and cold earth, and that is hard to be cured, but with good stable dung. But there is a kind of Heathy ground, that seemeth altogether vnprofitable for tillage, because that the grauell and clay together retaineth a kinde of blacke water, which so drencheth the earth, and causeth so much cold, as no husbandrie can relieue it, yet if there be chalke-hills neere this kind of earth, there may be some good done vpon it: for that only or lime will comfort the earth, drie vp the superfluous water, and kill the Heath. But the sandy Heathy ground is contrarily amended, as I told you, with fatte marle, and that is commonly found neere the Heathie grounds, if men were prouident and forward to seeke for it. Euery of the heathy grounds are best knowen of what nature they be of, whether hot or cold, by the growing of it: as if it growe lowe and stubbed, it argues the ground to bee grauelly, cold, and most barren; where it groweth ranke and high, and the stalke great, the ground is more warme, & more apt for tilth, yet it requireth some kind of composte, else will it not beare past a crop or two, contenting the owner: but if men will not indewour to search for the hidden blessings of God, which he hath laid vp in store in the bowels of the eath, for their vse that will be painfull, they may make a kind of idle and vaine shew of good husbandry, when indeed they onely plow, and sow, and

Heathie
ground vn-
profitable.

How to find
the nature
of the hea-
thy grounds

The earth
comanded
to denie vs
fruit with-
out labour,

charge the earth, to bring forth fruite of it owne accord, when wee knowe it was cursed for our sakes, and commaunded to denie vs increase, without labour, sweate, and charge, which also are little auailable, if we serue not him in feare and reuerence, who is the Author of true labours, and of the blessings promised thereunto.

All kind of
grounds
haue their
helpe.

Baily. I thinke there is no disease in the body of man, but nature hath giuen vertue to some other creatures, as to hearbes, plants, and other thinges, to be medicines for the same: so is there no kind of ground so meane, barren, and defectiue, but God hath provided some meane to better it, if man, to whom he hath giuen all, will search for it, and vse the same to that end it was provided for. And yet this peece of ground adioynning, hath had much labour and great cost bestowed on it, and the ground little or nothing the more reformed: This Fursy close.

Furse.

Whynnes.

Dwarffe
Furles.

Sur. Indeeде it is a strong weede, called in the North Countrie, *whynnes*. It seldome giues place where it once footeeth, I will go see the forme of the furles. These furles are not worth the fostering, they bee dwarffe furles, and will neuer grow great, nor high, and of little vse.

Baily. I speake not to learne how to preserue them, but how to destroy them.

French
Furles.

Sur. But there is a kinde of Furse worth the preseruatiō, if it growe in a Countrie, barren of wood. And of that kinde there growes much in the West part of *Devonshire*, and in some parts of *Co. newall*, where they call them *French Furles*, they grow very high, and the stalke great, whereof the people make faggots, and vent them in neighbour Townes, especially in *Exeter*, and
make

make great profite of them. And this kind of Furze groweth also vpon the Sea coaste of *Suffolke*: But that the people make not that vse of them, as in *Devonshire* and *Cornewall*; for they suffer their Sheep: and Cattell to browse and crop them when they be young, and so they growe too scrubbed and lowe tufts, seldome to that perfection that they might: yet in that part of *Suffolke* they make another vse of them, they plant them in hedges, and the quick-set of them make a stronge Fence.

Quick set
hedges of
furze.

Baily. Very silly quickset hedges, I would thinke, can be made of simple furzes.

Sur. Such as after two or three yeares, beeing cutte close to the earth, they will then branch and become so thicke, as no Hedge, if the Ditch be well made, and quick well set, can be more defensible, being set in two or three ranckes.

Baily. I maruell they learne it not in *Cornewall*, where for want of quick-set, and haying or hedging stufte, especially in the West partes, they are forced to make their Fences with turffes and stones.

Fences of
Turffes and
Stones.

Sur. They doe so indeede, vpon the Moores there: but sheepe will easily scale their walles. But the Furze hedges which I haue seene in that parte of *Suffolke*, no cattel can pierce them.

Baily. Then are these furzes good for nothing?

Sur. To brew withall and to bake, and to stoppe a little gappe in a hedge.

Baily. Then may we hereabouts affoord the standing of them: for wee haue no great plenty of these necessaries in these parts.

Sur. I see no store of Hay boot, vnlesse it bee in the Lords wood, where I thinke it be not lawfull for men at their pleasure to take.

Bayly. What meane you by hay-boote? I haue read it often in Leases, and I promise you, I did euer take it to be that which men commonly vse in hay time, as to make their forkes and toles, and lay in some kinde of lofts or hay tablets, as they call them in the West, that are not boarded: and is not that the meaning?

Hay boot,
what it is.
Hedge boot
& hay boot
the difference.

Sur. I take it not: it is for hedging stuffe, namely, to make a dead hedge or raile, to keepe cattle from corne or grasse to be mowne.

Bayly. What difference then is there betwæne hay-boote and hedgeboote.

Sur. Some there is: for a hedge implieth quick-set and trees: but a hay a dead fence, that may be made one yeere, and pulled downe another, as it is common vpon the downes in many countries where men sow their corne, in vndefenced grounds, there they make a dead hay next some common way to keepe the cattle from the corne.

Bayly. If that be the difference, we haue some vse of it also in this Country, but we want it much, as you say, by the lying of our hedges.

Dead hedges
deuoure

Sur. I see the hedges lie very vnhusbandly: a true note offew good husbands: for he that will suffer his hedges to lie open, and his houses vncovered, neuer put a good husbands hand to his head. Quick-set hedges are most commendable: for they increafe and yeeld profite and supply, to repaire decayed places: but dead hedges or hayes deuoure and spend, and yet are seldome secure.

Bayly. I pray, what is the best stuffe to make quick-set of?

Sur. The plants of white thorne, mixed here and there with Oke and Ash.

Bayly. But the plants are not easily gotten in all places.

Sur.

Sur. Then the berries of the white or haw-thorne, Acornes, Ash-keyes mixed together, and these wrought or wound vp in a rope of straw, will serue, but that they will be somewhat longer in growing.

How to make a quick-set-hedge.

Baily. How must the rope thus stuffed with the former berries be laid?

Sur. Make a Trench at the top or in the edge of the Ditch, and lay into it some fat soile, and then lay the rope all along the Ditch, and couer it with good soyle also, then couer it with the earth, and euer as any weedes or grasse begins to grow, pull it off, and keepe it as cleane as may be from all hinderances; and when the seeds begin to come, keepe cattle from brusing them, and after some two or three yeares, cut the young spring by the earth, and so will they branch and grow thicke; and if occasion serue, cut them so againe, alwayes, preserving the Oake and Ash to become trees.

Baylie. What is the best time to lay the berries in this manner?

Time of quick-setting.

Sur. In September or October, if the berries be fully ripe.

Baily. What if a man were desirous to make a little grouet, where now no kinde of such plants do grow?

Sur. Till the place with the plough, in manner of fallowing, and crosse plough it, and beat the clods small as may be: then sow or set Acornes, Ash-keyes, Hawes, Hedgberries, Nuts, and what else you desire, and then harrow it, and for some two or three yeares it were good to keepe it as free from grasse or weedes as could be, vntill the seedes were aboue the grasse, and when they bee somewhat stronger, the superfluous weedes will bee the more easily culd out: I know a wood sowne of Acornes about

How to make a grouet.

Seuerall
trees and
begrounds
ent like.

about two and twenty yeares since, the Oakes whereof are now as high as an ordinary steeple. The ground in this case must bee considered; for some groundes are more naturally inclined to foster such things, and some are not. Some kinde of woode also loueth one kinde of soyle more then another, as the Iuniper delighteth in a chalkie soyle, as appeareth in *Kent* and *Surrey*: So dooth also the Yew tree, which brooketh a light and barren soyle: The Walnut tree likewise in meane ground being hot, and the Elme a sandy earth, the Aspe, the Popple the Alder, the Able trees moyst ground, the Oake most kindes of ground.

Baily. I haue a p[ar]ce of land, ouercome with a kinde of w[er]de that is full of prickles, and groweth a fote or two fote high, whereof no cattell will fede, and I know no way to destroy it.

Gorse.

Sur. By your description it should be Gorse or prickle Broome, a weede that groweth commonly vppon grounds ouer-tilled, and worne out of heart, and it commonly groweth not but in cold clay ground, and is hardly killed but with Lime or Chalke, and so ploughed, and then sow it two or three crops together. And if you then let it lie, it will beare you the next yeare a crop of course Hay, and will then yeerely increase in goodnesse for pasture or Hay, and so much the sweeter and thicker, if you keepe it low eaten.

Baily. I thinke you mistake the w[er]de, you meane, I take it, Furse or VVhyns, which some call also Gorse.

Sur. I thinke I mistake it not, but such as call Furse, Gorse, are as much mistaken, as they that call Brakes, Broome.

Broome.

Baily. Because you speake of Broome, I know a Lordship of my Landlo[rd]s, which no doubt you shall suruey too, it is much

much pestered with Broome, and there hath bin much charge and paines, and Arte too, bestowed in destroying of them, but all in vaine: they haue bene cut, stocked by by the rootes, as was thought, burnt, ploughed, and yet they grow againe.

Snr. It is the nature of Furze, Broome, and Brakes, to keepe their standing, and hardly will yeeld the possession once gotten in a field: for commonly they like the soyle well, and the soile them; and where there is a mutuall congruity, there is seldome a voluntary separation. And therefore, as long as there is not a disturbance of their possession with a contrary earth, they will keepe where they are: for as the Fish loueth and liueth in the water, the Camclion by the Ayre, the Salamander in the fire, and eyther of them being taken from his Element, will die: So these kindes of weedes (for so they may be called) as long as they possesse the soyle they affect, do what you can, they will liue. And therefore as the soyle is commonly barren, hote and drie wherein they liue, make this ground fatte and fruitfull, and they will die. And therefore the greatest enemy that may be set to encounter them, is good and rich Marle, and thereupon, the plough some few yeares together: and you shall see, they will shrink away, and hide their heads.

Baily. But commonly this kinde of fat Marle is not to be gotten in all places: nay, seldome where these barren grounds are.

Snr. It is true, they commonly come not, and say to the lazie husbandman, Here I am. It is the nature of all things to conet rest, and where dumbe and dead thinges lurke, is not easily found without diligent search. Golde, Siluer, Brasse, Tynne, Leade, Cole, Slate and great Milstones, shew not themselves voluntarily, but are found

Furze,
Broome,
Brakes,
their nature

How to kill
Furze,
Broome,
and Brakes.

All hidden
benefits
must be
thought for.

Ignorance
and idlenes
enemies to
thrift.

None shold
be idle.

PE.107.34.

by scrutation and discretion. And I thinke many trea-
surable blessings lie hidde from slouthfull men, for want
of search, and worthily. So doth this notable commodity
of Marle, from the eyes of the Husbandman, vntill hee
diue into the bowels of the earth, to seeke: and admit he
misse it heere, hee may finde it there: if hee faile to day,
hee may get it to morrow. But Thrift hath no grea-
ter enemies then Ignorance and Idlenesse; the one per-
swades it cannot be, the other it will not bee. And be-
tweene these, Weedes, Bryers, Thornes, Thistles, Furze,
Broome, Gorse and a thousand Markes of the first
curse annoy vs, which by the blessing of God, In-
dustry and charge might easily and shortly remooue
more out of our sights. And yet if the view of them
daily could make vs, or mooue vs to call our first diso-
bedience to consideration and repentance, I would
wish Thornes to grow where Corne stands. But sith no
spectacle of former threatens, no vse of present blessings,
will mooue the hard hearted, eyther to seeke by labour
or charge to reforme these euils, easie to bee reformed:
Let vs leaue to discourse, and hee that hath vnderstan-
ding and will, let him vse them here in this toylsome life,
and not bee idle; for, if we doe what wee can, these
Cankers will follow vs, these inconueniences will an-
noy vs, and will procure euery day new labour, and new
cost; and new diligence, and new Arte, to make vs know
that *Omnia proposuit labori Deus*. Man of necessitie
must labour. And when hee hath sweate and toyled,
and bestowed all his skill and vtmost charge, if God adde
not a blessing, all is lost. *Paul* may plant, *Apollo* may
water, but if God giue not the encrease, the labour is
vaine. *God maketh a fruitfull land barren, for the wic-
kednesse*

kednesse of the people that dwell therein, there is a curse. *Againe, A handfull of Corne sowne vpon the toppes of high Mountaines, shall so prosper, as the fruits and eares thereof shall shake like the high Cedars in Libanon.* Here is a blessing: It is a gracious thing therefore to feare and reuerence him, whose blessing and cursing so much preuaile, and to pray to him for successe in our endeouours, and to glorifie him for his blessing. Psa. 72. 26.

Bailly. You haue diuinely concluded: and I wish not onely the words of your mouth, but the substance of your meaning were fully ingrauen, and truly seated in the hartes of all that labour. So, no doubt but the Lord would be alwayes readie to blesse their indeouours: Although indeede Job saith, The earth is giuen vnto the hands of the wicked, and they waxe olde and wealthy. And David in diuers and sundry places declareth that the wicked prosper most in the world. And I tell you, it is a daunting vnto weake men, that thinke they serue God truly, and many times it goeth worse with them, then with such as seeme seldome or neuer to call vpon his name. Iob. 9. 24. 8.
21. 7.

Sur. But when David considered the end of these men he could say, that the Lord had set them in slippery places. And that they that are blessed of God, shall inherit the earth. And what soeuer they doe, it shall prosper. Therefore, I say, that he that commendeth his labor vnto the Lord, and the successe of all his endeouours vnto his diuine prouidence, who doth & can alwaies bring all things to passe for our best good, whether it be the ful fruits of the earth for our releefe and comfort, or scarcity and want, for our tryall, he is sure to stand fast, and shall be as a tree planted by the riuers side, whose lease shall neuer wither: And in the time of dearth, he shall haue enough to sustaine his necessity. Psal. 37. 22.
1. 3.

Bailly. It is a good and holy resolution, on which all men

ought to rest themselves with a faithful & patient expectation. And therefore he that hath fat and fruitfull ground, let him be laborious and thankfull, and he that hath leare and barren, let him be painefull and patient.

Sur. You say well, and so I leaue you : And for other matters, and better satisfactions in these things thus superficially discoursed, I referre you to the aduice of the better able to resolue you. I will returne to my former taske.

Baily. I thanke you for your patience and paines, and I commend you to your labours : And as your occasions shall challenge my further poze service, I shall be readie.

FINIS.



THE SURVEYORS
DIALOGVE CONTAINING A
brieft conference betweene a Purchacer of
land and a Surueyor : wherein are some points necessary
to be considered, of such as are able and willing
to Purchase Land in Fee simple
or by Lease.

THE SIXT BOOKE.

Purchacer.

It, as I take it, you did Suruey a Mannor, wherein I dwell, called the Mannor of Beauland.

Sur. I did Suruey a Mannor of that name indeed.

Purch. It may be you haue forgotten me, yet I was one of your Jury of Suruey there. And I did accompayn you, in your perambulation of the Mannor. And I remember, the Baylie, among many other questions, demanded you one, wherein I would haue bene glad to haue had your opinion. But that, you had no fit opportunitie at that time to giue such satisfaction, as I did wish.

Sur. What I pray you was the question?

Purch. Whether it were better for a man, that had mo-

A question
touching
Freehold &
Lease to
Purchase
when a man
hath little
money.

ney in his purse, a thousand Markes, or a thousand pounds, and would lay it out vpon land, to purchase a Fee simple, or buy a Lease.

Sur. I can hardly admit leasure to aunswere you, by reason of other occasions, but in regard of former acquaintance to doe you a pleasure, I will borrow so much time, as may suffice the aunswere of this question: So you can bee satisfied with some brieft reasons, although I know that such are the different opinions of men in this point, as that which will fully satisfie one, will draw some others the further into doubt, as we see in diuers other like cases, *Multa capita, multe sententie.*

Good to be
aduised as
well in small
as great
Purchases.

Purch. I confesse my iudgement is meane in this point, because I haue not had hitherto any practise in the purchase of land. And I must also confesse that I am not provided for that businesse, as some great Masters: who can vndergoe matters of many thousands, yet I thinke it in my discretion, as fit to bee well aduised in the smallest, as in matters of greatest moment: for a little well imployd, may proue so farre more beneficiall then a greater portion, by how much the same is laid out with more discretion and better iudgement then the other. And though to tell you truly, my stock will not excede a thousand Markes, yet would I gladly be stowit, vpon such a thing as I might liue thereby, and my children after me.

Sur. Then I perceiue you would deale with some matter of perpetuitie.

Some mens
vaine opini-
ons of Free-
holds.

Purch. I meane some Fee Simple. For, you know, it is a good matter to be a Freeholder. It is a good quietnesse to a mans minde, to dwell vpon his owne: and to knowe his Deire certaine. And indeede I see that men are best reputed of, that are seized of matter of inheritance: Leases are but of base account. For they haue oftentimes their li-
uings

nings are taken ouer their heades. So hath the Freeholder of inheritance neuer. And many other faire preferments, are laid vpon a man that holdest to him and his Heires, that neuer are bestowed vpon men of inferiour tenures and termes.

Sur. Are you a Scholler.

Pur. No truely.

Sur. Then Nature hath taught you the Art of Ambition. And I feare you haue set too faire a couler vpon so meane a proportion, as is betweene your portion of money you haue to bestow, and the exceeding contentments which you expect to grow by the land you purpose to purchase with the same.

Nature teacheth Ambition.

Purch. Is euery man, that desires to Purchase, ambitious?

Sur. Not as he is a Purchaser. But the humoz of his aspiring, being discouered, discouereth his ambition to be the motiue to the Purchase. Will and Ableness to Purchase, are in themselves so farre from Ambition, as it is a blessed benefite giuen of God to man: and a great cause of reioycing, is it to the heart of the most religious man: When from a lowe estate and small portion, God dooth rayse meanes to rayse himselfe, by lawfull Purchase. But if all his ayne therein bee a vaine glorious thirst: I cannot giue it any other fitter title then Ambition, which is a vice. And mee thinkes, I smell it in your selfe by all your former arguments of the happinesse of a Freeholder. It is a good thing you say (and so doe I) to bee a Freeholder. But you must thinke he is not so free, but hee is subiect to many seruices, whereunto some inferiour tenures are not. As when you are a Freeholder, experience will teach you. Also it is (as you say) a good thing to dwell vpon a mans owne: Freeholders onely dwell

A blessing to be able to Purchase

Ambition, what?

Seeming
comforts
may prooue
certaine
crosses.

Fathers
long life
some sons
lingring
death.

True free-
dome better
then office.

dwel not on their owne, he that hath a Lease but for a yere,
dwels vpon his owne for a time. As for your Heire certaine,
and apparant; no doubt it is a comfort, so it be a comfort:
for comfortes proue in those casuall and changeable incli-
nations somtimes crosses: tender heires, are like yong twigs,
they will bend and be wreathed at the will of the parent: but
grown strong they proue ofte strong distractions to bestmin-
ded, and welthiest parents, especially when they haue lear-
ned to say: My Father cannot put away his land from me: then
he begins to feele his fathers health to be his sicknes, his fa-
thers long life, his lingring death, I need not tell you what
succeds. If you see it not, the mist of partiall obseruation
dazils your eyes: yet would I haue you to know this, that,
I hold it great happinesse for a man of that estate to haue an
heire, but greater and the greatest to haue a vertuous, a fru-
gall and thristie heire. Touching the Reputation which you
pretend to gain by the title of a Freeholder of inheritance, that
is seene to be wonne and lost, as is or shall be the report of
your good or ill conuersation among your neighbors: which
often poore men get, and rich men lose. The clearing of the
feare of hauing your liuing to be taken ouer your head, is
some assurance indeed: but many times, the heire to auoid
the danger, sels it himselte, sometimes before it come to his
hand. For the preferments, commonly laid, or expected to
be laid vpon a man of that estate: howsoeuer ambitious men
may thinke it glorious: men wise enough, of a temperate
and moderate spirit, rather imbrace their owne freedome,
and thinke it farre more pretious then the fairest imposed or
assured preferments to office, commonly accompanied with
care and controulment.

Pur. I perceiue you saueur, not estates of inheritance, the
best and most absolutely reputed tenure that any man can
be indowed with.

Sur. You much mistate me, and and the matter: for I
ground not my obiections vpon any vnworthinesse of
that most worthy tenure: but vpon your ambitious as-
ming

putation, securitie, office, and vainglorious preferments, by reason of so small a mite of meanes, as your stocke (being but one thousand Markes) is able to Purchase.

Pur. It will Purchase (as I take it) about sixty pounds a yere.

Sur. Thereabouts at 16. yeeres Purchase. A weake reuenuē to support so weightie contentments, as you haue propounded to your selfe.

Pur. I must cut my coat according to my cloth: spend no more then will arise of the Farme.

Sur. But your thousand Markes being gone, where is then the meane to stocke your Farme: for a Farme without stocke, is like a peece without powder or a Steeple without Bels.

A Farme without stocke: what like?

Pur. Cruely I confesse it, but if I should reserue any of that portion for the stocke, it would Purchase farre lesse. And therefore I conceiue it better to straine my selfe some other way to stock it; though I giue interest for a while, or let it out for some few yeeres, to enable me to stocke it my selfe afterwards.

Sur. So shall you soone indeed make triall of your aduēture, either to arise safe with little aduantage, or to suffer vtter shipwracke. For the first Interest the mother of miserie, the longer she goeth with her birth, the greater monster she breeds, that immediatly deuours him that begat it, worse then the Viper that kills the mother. Of two euils, the least is, to let it. If then thou be accompanied with a charge, thou and thy charge must be maintained. If that eate vp thine incombe, or the better part of it, little will be laid vp for the future stocke, and so shalt rest *in statu quo prius*, as able in the end, as at the beginning of the terme.

Interest the mother of miseries.

Pur. I know no other course to dispose of my money, in
If
way

way of Purchase; for liues are casuall, and vares run out so swiftly, as I cannot thinke of a better imployment of my money, then to lay it out vpon land of inheritance, for that is perpetuall.

Sur. There are many of your mind, who by the greatnesse of their spirits, vndermine their owne estates, and so hurle voluntarie repentance vpon their owne heads, which they cannot auoid.

Pur. If a man haue a competent bargaine, there nedes no repentance.

Sur. A conuenient bargaine requires more then a competent *quid*, for a competent *quo*, that is a bargaine barely worth a mans money. As hee that hath a thousand pound in his purse, and bestowes it vpon a Jewell worth a thousand pounds: vnlesse he purpose, and can dispose this Jewell for more then it cost, he may say hee hath a Jewell worth a thousand pounds, and had a thousand pounds in money; but his money being gone, in stead of vsing it to his gaine, he looks on his Jewell with griefe. Especially when commanding necessitie, requires needfull supplies: then lies his Jewell dead, and cannot, had he his money, it would haue supplied his wants.

A competent
bargain, what?

Pur. This in mine opinion is little to the matter in question, for I lay not out my money so, but that I haue a p'rely profite, answerable to the value of my money, and lies not dead, as doth his Jewell.

Sur. Little odds betweene nothing comming in, and somthing comming in and profit nothing: as doth your Farme, which either wanting stock, can yeeld litle, or hauing stock of interest, eats the gain. But the question propounded was, whether a man of smal means, were better for his profit to Purchase Fee-simple, or to buy a Lease.

The question,

Pur. That indeed is the question, & I think a more profitable

ble course, then to purchase land in Fee simple, or buy a lease.

With whom
the Pur-
chace of
Fee-simples
best agree-
eth.

Sur. I say more expedient cannot be, for a man that hath 10. or 20. or more thousand pounds in his purse: for thereby he may confirme his hope of hereditary succession: & consequently of Honor and Office. But to speake in answer to your stocke at the most (as you say) 1000. Markes, were it two or three thousand pounds, I affirme these kinds of Purchases are not most profitable.

Pur. What then, in your opinion is the best course to lay so small portions of money in, as you speake of.

Sur. Leases.

Pur. Alas, a lease is gone in the third part of a mans age, unlesse it be for fiftie, sixty, or one hundred yeeres: upon such a man might be content to lay out his money.

Sur. I hold rather, a Lease of one and twentie yeeres more beneficiall.

A Lease of
twenty one
yeeres most
beneficiall
in some
cases.

Pur. That were strange, how can you proue that?

Sur. Admit you haue 1000. pound in your purse, and you will Purchase a Lease of 100. yeeres. It will cost you thirteene yeeres Purchase at the least. So your 1000. pound will buy about 80. pound *per annum*, which will not amount vnto the interest of your money by twentie pounds a yeere. But if you buy a Lease of 21. yeeres, you may haue it for 7. yeeres Purchase. So will your 1000. pound buy a Lease worth 140. pounds a yere, exceeding the interest of your money forty pounds a yere. So there is threescore pounds more by a Lease of twentie one yeeres, then by a Lease of 100. yeeres, which whether it be more profitable for a man to buy, that hath no great meanes, Iudge you.

Pur. Truly for my part I doe now conceine it so well, as I am utterly dissuaded from Purchasing land in Fee simple, or for more yeeres then one and twentie, unlesse I had a

A fit com-
parifon.

greater portion, then indèede I haue. And me thinks I might compare my ſelfe (in the minde that I was) vnto one that had foure pence in his pocket, who would needes buy a purſe to put it in, and ſo bought him a purſe which coſt him a groate: and he had as much money left to put in his new purſe, as I ſhould haue had to haue ſtocked my new Farme, when I had beſtowed my thouſand Markes vpon fortie pounds a yeare. But now buying a leaſe for one and twenty yeares, my thouſand Markes will bring me nàre thirſe ſcore pounds a yeare, and yet reſerue money ſufficient to ſtocke the Farme: I doe not thinke, but if other men of my poore meanes did well conceiue of this, they would be of the ſame minde that now I am.

Some will
embrace
what is moſt
in uſe.

SUR. Ineyther perſwade nor diſſwade any, to or from their owne opinions, for I know, it is as hard a matter to draw ſome men to a truth, as to remoue ſome from an errour. And ſome I know are alwayes moſt perſwaded, to embrace that which is moſt in uſe, and reſuſe the better, that few effect, and not many haue proued: And therefore to make a mans ſingular conceit (haue it in experience and praetiſe neuer ſo deſerued allowance) the preſident of other mens imitation, they will ſuſpend it vntill it become as common as vice it ſelfe; and therfore to your ſelfe I ſay, doe not as I perſwade, but perſwade your ſelfe, as your owne conceit, in your ſeeming reaſon ſhall tell you what is beſt or worſe; though it be matter of fact, it is no matter of ſauing faith, therefore take right or left as you liſt.

PUR. I am not ſo ſicke in my fancie, as it ſhould ſlie from one conceit to another, after ſuch due ſatiſfaction as you haue giuen me: for whatſoeuer other mens iudgments may yeld in this behalfe, I take it the trueſt courſe for beſt profite, by ſmalleſt meanes: And I thinke no arguments can be ſo forcible to remouue what I haue conceiued, onely, one ſcruple remaineth, which I may rather terme a friuolous doubt, be-
cauſe

cause it may succēde otherwise then I feare , and that ariseth in my conceit by reason of the shortnesse of the tearme of one and twenty years : for if a man leaue his sonne a Farm for that terme , eyther it may bee taken ouer his head, or else he must be forced to buy it againe within fiftēne or sixtēne yeares, which both are things very vnpleasant and most distastefull to most men.

A doubt in
a lease of
21. yeares.

Sur. It is true, but the end of the tearme being truly knowne, it takes away some of the harshnesse, by a prouident preparation against the time : for if a son to whom a man leaueth threescore pounds *per annum* (your owne proportion) with a stocke ; if he , by his frugality, prouidence and carefull husbandry, cannot lay vp, in sixteene yeares so much, as will eyther procure the same againe, or some other as valuable else-where , leaue him to liue as he may after the terme ended : for, it is not probable, that he would be thriftie or become more wealthy, if he had thrise as much ; for it is not the quantity of the thing left, but the quality of him to whom it is left, that prooeth this proposition true or false.

Pur. It is so, for I haue knowne some meanely left with leases, haue grown rich, and some rich of inheritance become poore.

Sur. As are mens dispositions good or ill, so commonly is the continuance of their estates prosperous or aduersē.

Bayly. Surely, it is true. It so appeareth by the cariage of young men, in these daies, who shew themselues most improuident and carelesse, for the most part, not onely such as stand in possibility to be aduanced by the abilitie of parents, or friends ; but such also (by a kind of impious imitation) as haue no other meanes, then either their owne labours, or sinister shifts : for as are the diseases of the bodie, of late become yearly wonders for their strangenesse : so mens pro-

The cari-
ages of
young men
carelesse.

The cause
of the con-
fusion of
Patrimony.

Patrimo-
nies like
Fortunes
wheele.

A sonne
cannot so
much de-
pend vpon
leases as
vpon Fee-
simple.

phane humours and vitious qualities grow yearly more strange, by taking new courses of chargeable wickednesse: chargeable fashions in apparell, gaming, the pot, and their lasciuious liues, rend patrimonies in peces, and bring men to more beggery, that befoze scorned the more title of Gentlemen. A due obseruer may well note, that where one, left by a carefull father wealthy, and, by the grace of God, is of discretion fit to manage what is left him: ten grow thereby the more insolent, secure, prodigal, vitious, and consume more in one yeare by their rancke rvyot, then their carefull fathers or regardfull friends did get by their care and industry in ten: where by groweth that strange vicissitude which we see in the world, the father to purchase, the sonne to sell, the father to sell, the sonne to purchase, neuer continuing long in one line: many generations enioy not one and the same inheritance. Patrimonies are like vnto the fained wheele of Fortune, resembling also the waues of the Sea, driven now to the shore, & forthwith to the channel, as the tide and the windes: so are possessions passed from one to another, more in these latter daies then euer befoze: mindes become inconstant breede estates inconstant. In former ages an inheritance continued many generations, neuer altring either the line or the name of the owner: men had a kinde of religious regard to preserve the inheritance of their auncestors: and in these dayes, they thinke it a superstitious ceremony, to keepe it. And therefore he that hath money, may now buy what his sonne may sell; the father buyes in hope to better his sonne, and the sonne sels to dishonour himselfe: And therefore I thinke whether it be Fee simple or Lease, all is bayt for a buyer, and a wastefull sonne is indifferent in both.

Sur. There is no cause so much to assure a sonne of future meanes by *Leases*, as by *Fee simples*, for an eldest sonne is in part assured of his Patrimony, howsoeuer he carry himselfe: but leases may be giuen as a chattell, and therefore may make a sonne the more awfull. But it is a hard

hard thing, that neyther the loue of parents, in perswading, nor the law of Magistrates by punishing, can preuent these daily increasing mischiefes: I thinke it may be affirmed, that the fault is especially in parents, by giuing and suffering, as also in Magistrates in not correcting such wilfull transgressing the lawes of loue and obedience, and to shorten the line of that common libertie of young men whereby they liue, doe, and continue as they list: And so much the more, by how much they finde their owne strength, to rest in the ability and doting loue of their abused parents, who (whilst they liue) support these libertines by supplies of needlesse wants: And the hope of the whole, after their deaths, make young men diue into the deepest of the danger of causelesse debtes, which (the parents dead) forceth to bee imbowelled the best of his new false Patrimony: the reliques wherof he must sacrifice, to appease the violence of that denouring Hydra, and peece-meale offers the rest to his owne vice and vaine-glory.

Pur. Truly, these dayes affording such fruits, I wonder, whether is more the cause, the folly of parents or the frensie of children.

Sur. I thinke indeed many children (as it seemeth by their dissolute liues) are possessed with a kinde of frensie or madnesse; for they are as farre from awe of gouernement, as are such as are madde indeede: And yet I thinke of the two, the foolishnesse of doting parents, is more the cause of their childrens madnesse, then is the meere naturall inclination of the children: for did parents keep a kinde of power in their owne hands, and did not feede their childrens humours too full: they could not but withdraw, though not their desires, yet their meanes from those wastefull courses.

Fathers doting on their children, the cause oftentimes of their childrens hurt.

Pur.

Pur. It seemeth to me a matter almost impossible, my reason is, because it is now growne to so generall a disease, if it were in the Citie onely, and not in the Countrey, or were it in one shire, and not in another, or in one towne or parish and not in another: nay, were it in one house and not in another, I would then thinke the Countrey might reclaim the Citie, one shire, one towne or one house might reforme another: but being as it is, so vniuersall, in Cities, countrey townes and houses, if any place or person be now free, it, or he is in danger to be seduced: and therefore one father may sende out by counsell, force or faire wordes, to order his sonne in the way of hope to be happy: but what tenne fathers by counsell can worke in two children in much time, one impious, idle, vain, and bitious neighbours sonne shall payson twentie in lesse. And therefore vnlesse as the infection is generall, there could be found a generall preseruatiue, it will grow, *ab hoc malo ad illud peius*, to be daily worse and worse.

Sur. So then let vs leaue them, and I leaue you, fare you well.

Purch. Nay I must needs intreat your opinion in one thing more, I will not be tedious. When a man doth purchase Land in Fee-simple or Lease, are there not some speciall points of obseruation to be considered before a man either buy or sell?

Sur. I thinke none is so ignorant or simple, but if he buy a Horse, he will see what pace he hath, whether hee bee sound, and whether hee that sels him haue right to the Horse, and other circumstances fit to bee considered in the buying of a Horse. And will any man bee so madde as to buy or sell Land without due consideration, what hee buyes or sels? And yet I must confesse, that some doe purchase, and some doe sell, as they that cut wood ouer their heads, the chippes fall into their eyes, they see not what they buy, or what they sell. Many haue bene
and

None is so
simple but
will obserue
what he
buyes.

and are dayly deceiued, for want of the true iudgement of the things they buy or sell, not seeking to informe themselves by themselves: nor for feare of charge, be informed by some of vnderstanding to view the thing they buy or sell, a matter sauouring either of little prouidence, or great securitie.

Purch. Wherein I pray you should a man take especially to be informed in buying or selling Land?

Svr. Me thinks it is a needlesse question, because these things are common to euery mans conceit. But to satisfie your desire, I take it the *Title*, is first to bee duely considered, and then the drawing of the Euidence, for in these dayes, there goe more words to a bargaine of ten pound land a yeere, then in former times were vsed in the grant of an Earledome, and yet me thinks many superfluous wordes might bee omitted, and the assurance good: as they were in former times, with farre fewer words, but that I leaue to the learned, that knowe what is fit to be inserted or omitted according to the qualitie of the thing purchased, onely the true meaning should bee the best assurance. Secondly, the *yeerely and likely permanent value* is to be considered. The *quantitie, qualitie, and nature of the soyle*. The meanes to better it, as, by clensing and cleering of the grounds of bushes, and other inconueniences, drayning of the low, boggie, and watry grounds: where and how to get *Marle, Chalke, Moore-earth, Sea-sand*, and such like meanes to improue, and better meane grounds. The scarfitie or plentie of *wood, and Timber*, which are either a helpe or hindrance to the sale. To obserue the *Fences*, and the meanes to continue them. The *water*, whether in Springs, Riuer, or standing Pooles, which last is most inconuenient. The

Things to
be confide-
red in a Pur-
chaser.

Howsing, how conuenient and competent they are, and how they stand presently repaired, and the supposed charge to doe it. The *situation of the place*, for ayre, sweet or contagious. The wayes, good or comberfome. *Commons of pasture*, *Commons of Estow*er if any be: what *Commodities* it especially yeeldeth: how and where they may be best vented: and where, and how farre off *household necessities* are to be had. Duties to the Church, and Common-wealth, with seruices due to the same: what issues out in rent, or other charge: what is paide to it: and many other things may be considered in the view of a Mannour, which at large are set downe in the second and third Bookes.

Purchaser. These are necessarie notes of remembrance, which are fit to be considered, both by him that selleth, and him that buyeth any Land, the neglect whereof may preiudice either. And thereby no doubt many are deceiued, and some abused, I am loath to trouble you further, I thank you for your patience, I will leaue you to your occasions.

PROV. 17. 2.

A discreet Seruant shall haue rule ouer an vnthriftie Sonne.

FINIS.



Faults escaped.

IN all places for Demeisenesse read Demeisns. Fol. 55. Lin. 25. for belonged, read belonged. fol. 56. line 5. meest, read messe. fol. 64. line. 9. for to, read by. fol. 82. line the last, for simple, read smile. fol. 88 line 18. put out too. fol. 90. line 9. for leaser, read leasee. fol. 96. line 10. for times at, read at times. fol. 98. line 22. for Baylie, read Raylie. fol. 106. line 1. for feildes, read fells. fol. 115. line 3. betweene *name* and *for*, read But the former Tenants, fol. 116. line 10, for Caterer read Cater.

